

# Exhibit 2

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI

JOSHUA GLASSCOCK, on )  
behalf of himself and )  
all others similarly )  
situated, )  
Plaintiff, ) Case No.  
vs. ) 22-CV-3095-SRB  
SIG SAUER, INC., )  
Defendant. )

VIDEOTAPED 30(b)(6) DEPOSITION OF SIG  
SAUER, INC., VIA MATTHEW TAYLOR, taken  
pursuant to notice before Beth Gaige, RPR, and  
licensed court reporter in the State of New  
Hampshire at the offices of AC Hotels  
Marriott, 299 Vaughan Street, Portsmouth, New  
Hampshire, on September 10, 2024, commencing  
at 9:03 a.m.

## A P P E A R A N C E S

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WITNESS: MATTHEW TAYLOR

Examination by Mr. Werts

6

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(Exhibit Nos. 12, 13 and 14 were digital exhibits and not included in transcript.)

## STIPULATION

(It is hereby agreed by and between the parties that signature is not waived.)

- - - - -

THE VIDEOGRAPHER: Good morning. We are going on the record at 9:03 a.m. The following deposition of Matthew Taylor, 30(b)(6) corporate representative of Sig Sauer, Inc., is being taken on September 10th, 2024, at 299 Vaughn Street, Portsmouth, New Hampshire, 03801, in the matter of Joshua Glasscock on behalf of himself and others similarly situated, versus Sig Sauer, Inc., pending in the United States District Court for the Western District of Missouri, case number 22-CV-3095-SRB.

My name is Gil Whitney; I'm the videographer; and the court reporter is Beth Gaige with -- we are here on behalf of Lexitas Legal.

Would counsel please introduce their appearance for the record.

MR. WERTS: Todd Werts on behalf of the plaintiff.

MR. MANN: Clint Mann on behalf of

1 plaintiff.

2 MR. WILLIAMS: Michael Williams on behalf  
3 of the plaintiff.

4 MR. JOYCE: Rob Joyce on behalf of Sig  
5 Sauer.

6 MR. FINKELMAN: Eric Finkelman on behalf  
7 of Sig Sauer.

8 THE VIDEOGRAPHER: Thank you. The  
9 reporter may swear the witness.

10 (The Witness was administered the oath.)  
11 MATTHEW TAYLOR, having been duly sworn by the  
12 Notary Public, was examined and testified as  
13 follows:

14 EXAMINATION

15 BY MR. WERTS:

16 Q. Good morning.

17 **A. Morning.**

18 Q. Have you ever given a deposition before?

19 **A. Once.**

20 Q. Okay. Then just a couple of reminders on the  
21 process before we even get into the basic  
22 stuff like your name.

23 I'll be asking a series of questions.

24 You'll be providing the answers under oath.

25 Is that your understanding?

1     **A.   Yes.**

2     Q.   All right.  As we go along, undoubtedly my  
3         inner hillbilly will come out and I'll say  
4         something that doesn't make any sense at all.  
5         Please tell me.  I'll try to ask a better  
6         question.

7                 Is that fair?

8     **A.   Understood.**

9     Q.   All right.  If you want to take a break,  
10         likewise tell me.  Unless we're just in the  
11         middle of something and we just need to finish  
12         the topic, take a break at basically anytime.  
13         It's not an endurance competition.

14                We're going to look at some documents  
15         today.  By way of preview, I've got a couple  
16         things we're going to put up on the screen.  
17         It's basically some CAD drawings that it's  
18         easier to read if you can zoom in on them --

19     **A.   Okay.**

20     Q.   -- as opposed to printing them off eight and a  
21         half by 11, as well as a couple of  
22         spreadsheets, but for the most part we'll be  
23         looking at documents.

24                Any questions about the process before we  
25         get started?



1     **A.   No.**

2     Q.   All right.  Tell us your name, please.

3     **A.   Matthew Taylor.**

4     Q.   You're currently employed at Sig Sauer as an  
5         engineering team leader, correct?

6     **A.   Actually, I am currently employed as the**  
7         **director of R and D.**

8     Q.   How long have you been in that role?

9     **A.   Since February of 2023.**

10    Q.   What role did you have at Sig Sauer prior to  
11         that?

12    **A.   An engineering team lead.**

13    Q.   And you had the engineering team lead position  
14         from February of 2013?

15    **A.   I don't recall if it was exactly titled**  
16         **engineering team lead, but it was essentially**  
17         **that function.**

18    Q.   Tell us what the functions were as an  
19         engineering team lead or the essential  
20         functions as you described it.

21    **A.   To lead a team of design engineers and test**  
22         **technician in the development of new products.**

23    Q.   How big was that team?

24    **A.   It's varied over the years but anywhere from**  
25         **four or five to six or seven.**

1 Q. And were you the engineering -- try to get the  
2 words right here -- engineering team leader  
3 for the Sig Sauer P320 project when that came  
4 out?

5 **A. Development of the P320 under other project**  
6 **names started before I joined Sig Sauer.**  
7 **However, when I joined, I did pick up**  
8 **development as one of my responsibilities.**

9 Q. What were the other names?

10 **A. P260 and P350, I believe.**

11 Q. And those are the same basic project just the  
12 name evolved with time?

13 **A. Correct.**

14 Q. And so you were the lead designer for the P320  
15 when that project -- when that pistol was  
16 released, true?

17 **A. That is correct.**

18 MR. WERTS: Let's mark this as Exhibit 1,  
19 please.

20 (Deposition Exhibit No. 1 was marked for  
21 identification.)

22 (Off-the-record colloquy.)

23 MR. JOYCE: This is Exhibit 1?

24 MR. WERTS: It is.

25 MR. JOYCE: How are we going to do the

1 exhibits? Are you just going to do them by  
2 witness or just run it consecutively for all  
3 the 30(b)6s or --

4 MR. WERTS: I tend to do it by witness.

5 MR. JOYCE: Okay.

6 MR. WERTS: So just start over with the  
7 number one each time.

8 MR. JOYCE: Okay.

9 MR. WERTS: It's probably lazy, but  
10 that's the easiest way to do it.

11 MR. JOYCE: That's -- as long as we do it  
12 one way, it doesn't matter.

13 BY MR. WERTS:

14 Q. All right. I've handed you what has been  
15 marked as Deposition Exhibit 1.

16 If you can turn to the answer to  
17 Interrogatory No. 2 on page three for me,  
18 please.

19 **A. (Witness complying).**

20 Q. And ask -- the question asked to identify each  
21 individual with design and development  
22 responsibilities pertaining to the P320, M17  
23 or M18.

24 Do you see that?

25 **A. I'm sorry. Are you looking at interrogatory**

1           **No. 1 or 2?**

2           Q.   No. 2, please.

3           **A.   Okay.   Identify each individual with design**  
4           **and development responsibilities pertaining to**  
5           **the P320, M17 or m18.**

6           Q.   Correct.

7                       And then there is kind of a short  
8           substantive answer and an objection.   For our  
9           purposes, we'll just focus on the short  
10          substantive answer for today.

11                     This indicates that SIG states that Sean  
12          Tonor was the lead design engineer for the  
13          P320 model pistol.

14                     Do you see that?

15          **A.   I do see that.**

16          Q.   That's not what you just told me though, is  
17          it?

18          **A.   I was the team lead, so I ultimately had lead**  
19          **design responsibilities.   He was the lead**  
20          **designer reporting to me.**

21                     MR. WERTS:   That one as 2.

22                     (Deposition Exhibit No. 2 was marked for  
23          identification.)

24          BY MR. WERTS:

25          Q.   I've handed you now what has been marked as

1 Deposition Exhibit No. 2.

2 Have you ever seen this document before?

3 **A. I have.**

4 Q. All right. My understanding is that you have  
5 been designated on behalf Sig Sauer to give  
6 testimony on a number of topics.

7 Is that your understanding?

8 **A. It is.**

9 Q. And specifically I have you down for topics 7,  
10 8, 11, 12, as it relates to engineering  
11 issues, 13, 16, and 20.

12 Is that your understanding as well?

13 **A. I don't recall exactly which numbers I was**  
14 **designated for.**

15 Q. Okay. Well, then let's kind of take --

16 MR. JOYCE: I can really do this by  
17 counsel. It might be faster.

18 MR. WERTS: Sure.

19 MR. JOYCE: So we have Matt Taylor  
20 designated for -- hold on. I should have my  
21 glasses on. Seven.

22 MR. FINKELMAN: Borrow these?

23 MR. JOYCE: No, I -- can I borrow those  
24 for a second?

25 MR. FINKELMAN: Sure.

1 MR. JOYCE: Okay. We got him for --  
2 sorry. We got him for seven. We've got him  
3 for eight and for ten. I apologize. 11, 12,  
4 as it relates to engineering. 18. No, that  
5 is wrong; that is Tom Taylor. 20.

6 MR. WERTS: Also it's 13 and 16, correct?

7 MR. JOYCE: Hold on. 13, as it relates  
8 to engineering. And 16 -- yes, also 16.

9 MR. WERTS: All right.

10 MR. JOYCE: Sorry.

11 MR. WERTS: No, that is all right.

12 MR. JOYCE: Fish my glasses out so I  
13 won't have to borrow them again.

14 BY MR. WERTS:

15 Q. And you understand that for today's purposes  
16 you are speaking as the voice of Sig Sauer on  
17 these designated topics, correct?

18 **A. I do.**

19 Q. And so when I use the word you in this  
20 context, I am both speaking as to you, Matt  
21 Taylor, and you, Sig Sauer.

22 Is that fair?

23 **A. Understood.**

24 Q. If we get to a point where we need to split  
25 that hair, tell me and we can split it up, but

1 for the most part you are Mr. Sig Sauer today.

2 **A. Okay. Understood.**

3 Q. So what has Sig Sauer done to gather all of  
4 its knowledge, known or reasonably available  
5 to it, with respect to the matters that you  
6 have been designated today?

7 **A. In terms of what I did to prepare for this**  
8 **deposition, I can say that I reviewed**  
9 **timelines of when events occurred. I**  
10 **familiarized myself with the nature of the**  
11 **voluntary upgrade program. I read through**  
12 **owners manuals. I perused sections of our**  
13 **website. I looked up skews to establish**  
14 **timelines of when they were created and -- and**  
15 **when various models were manufactured**  
16 **initially. Things of that nature.**

17 Q. What else?

18 **A. I had several discussions with counsel.**

19 Q. We'll come back to that one.

20 What else?

21 **A. That's the essence of what I did.**

22 My involvement in P320 development did  
23 begin when I started working at Sig Sauer in  
24 2013. However, I did transition into other  
25 project developments and was not directly

1 involved in all of the P320 and M17 activities  
2 personally. So it worked to become familiar  
3 with things that happened when I was not  
4 directly involved.

5 Q. And when did you stop becoming directly  
6 involved?

7 A. It was February or March of 2017.

8 Q. So shortly after it was announced that SIG won  
9 the army contract.

10 A. Correct. That was announced in January of  
11 2017. Our start of work meeting with -- for  
12 that program was in February of 2017, and it  
13 was in that time frame.

14 Q. Okay. And the voluntary upgrade program was  
15 August of 2017?

16 A. That's when it was launched, yes.

17 Q. So you got out of Dodge right when it was  
18 getting complicated.

19 MR. JOYCE: Objection.

20 A. I would not say that. I transitioned into  
21 different project development and other people  
22 assumed responsibility of P320 efforts.

23 BY MR. WERTS:

24 Q. What project did you transition to?

25 A. The development of the P365.



1 Q. And so you talked about some of the documents  
2 you reviewed and that sort of thing.

3 Were there any other facts that were  
4 provided to you to prepare for today's  
5 deposition that we have not already  
6 identified?

7 MR. JOYCE: Well, that's -- I'm going to  
8 object as that is an extremely broad question.

9 You can do the best you can with it.

10 **A. In that it's a broad -- not that I remember**  
11 **specifically.**

12 BY MR. DAMERON:

13 Q. Other than counsel, who else -- whom else was  
14 made available to you to talk to about your  
15 topics?

16 **A. I spoke with Sean Toner and to a limited**  
17 **degree Adrian Thomele.**

18 Q. Can you spell Mr. Thomele's name?

19 **A. A-d-r-i-a-n T-h-o-m-e-l-e.**

20 Q. What is Sean Toner's current role at Sig  
21 Sauer?

22 **A. He is an engineering team lead.**

23 Q. Specifically the engineering team lead for the  
24 P320 project?

25 **A. Teams' responsibilities are not divided solely**

1 by product any longer; although he does still  
2 work on the P320, among other projects.

3 Q. And you indicated earlier that Mr. Toner was  
4 one of the lead designers of the P320 when it  
5 was developed when you first started with the  
6 company.

7 A. That is correct.

8 Q. And Mr. Thomele, what's his currently role  
9 with Sig Sauer?

10 A. He's the senior VP of engineering.

11 Q. What role, if any, did he have with the  
12 development of the P320?

13 A. I don't recall him being heavily involved  
14 early on. I believe he was working overseas  
15 at that time. He was working on the  
16 development of the P365 prior to when I  
17 transitioned over to take that over. He  
18 became director or vice-president of  
19 engineering at that time, and -- and that  
20 change in organization is the reason I moved  
21 over to P365 development, to take over what he  
22 had been working on. So at that time he  
23 became involved in a lot of what was going on,  
24 including voluntary upgrade and MHS  
25 development.

1 Q. In your discussions with Mr. Toner in advance  
2 of today's deposition, what did you learn from  
3 him?

4 **A. Timelines of when things happened. A lot of**  
5 **it is refreshing my memory. Also details**  
6 **related to the voluntary upgrade program and**  
7 **MHS shipments. Things of that nature.**

8 Q. And this will be a running thing throughout.  
9 I know that acronyms are always popular with  
10 every company, but lawyers hate them. And so  
11 we always have to define as we go along.

12 When you refer to an MHS, what is that?

13 **A. Modular Handgun System.**

14 Q. What does that mean?

15 **A. That was the opportunity with the army which**  
16 **resulted in our being awarded the contract for**  
17 **the M17 and M18.**

18 Q. And so when we refer to the MHS or the Modular  
19 Handgun System, that is referring to the  
20 specific weapon and design specifications that  
21 ultimately became the military's adopted  
22 pistol, correct?

23 **A. There was a product requirements document that**  
24 **we developed the products to, yes.**

25 Q. Okay. And if I've done my job correctly,

1 we'll get to that about halfway through this  
2 stack, so --

3 **A. Okay.**

4 Q. We'll double check and see then.

5 Anything else that you learned from Mr.  
6 Toner?

7 **A. Not that I specifically recall. It was -- it**  
8 **was a general refresh of my memory on things**  
9 **that had happened.**

10 Q. Mr. Toner has had the opportunity to testify  
11 about the Sig Sauer P320 on a number of  
12 occasions, has he not?

13 **A. He has.**

14 Q. Did you review any of the transcripts of any  
15 of his prior testimony?

16 **A. I did not.**

17 Q. Did you discuss any of his prior testimony  
18 with him?

19 **A. I did not.**

20 Q. What did you learn from Mr. Thomele?

21 **A. Mr. Thomele and I had conversations about the**  
22 **general nature of this case and background.**  
23 **He did not provide me any information or facts**  
24 **relevant to my preparation. Mr. Thomele is my**  
25 **immediate supervisor, so the discussions were**

1       **natural in that sense.**

2       Q.   Anything else from Mr. Thomele about this?

3       **A.   No.**

4       Q.   Anyone else that you spoke to prepare for your  
5       deposition today besides counsel, Mr. Toner,  
6       or Mr. Thomele?

7       **A.   No.**

8               **I will retract that. I did ask Jim Lano**  
9       **a question about dates relevant to MHS**  
10       **shipment, but that was the only thing that he**  
11       **and I talked about.**

12       Q.   And what did you ask him about on the dates?

13       **A.   Just the dates of when the initial shipment of**  
14       **guns was accepted by DCMA and on behalf of the**  
15       **army and then when the second shipment was**  
16       **made.**

17       Q.   Another acronym, DCMA, what's that mean?

18       **A.   I am not recalling off the top of my head, but**  
19       **it's a -- it's the agency that works on behalf**  
20       **of the army to assess our fulfillment of the**  
21       **contract.**

22       Q.   Okay. And what were the dates that Mr.  
23       Thomele gave you? Or, I am sorry, Mr. Lano.

24       **A.   The initial shipment of product to the army**  
25       **was, I believe, October 2017, or at least when**

1       they accepted the pistols. And then it was in  
2       early 20 -- early-to-mid 2018 when the second  
3       shipment was made.

4       Q. What's the difference between SIG shipping  
5       them and the army accepting them in that  
6       context? You corrected yourself there.

7       A. I don't know what date they left the door. It  
8       was the -- DCMA accepting them on behalf of  
9       the army was the green light for shipment.

10      Q. But just so that I am understanding you  
11      correctly, what I have in my mind then is that  
12      that's just them telling you to ship them; you  
13      ship them; and they pick it up like any other  
14      package. It's not that there's another step  
15      in procurement process and testing that occurs  
16      when they get them in that October date. Is  
17      that true?

18      A. That's correct. Once they accepted those  
19      products, then they were shipped some  
20      relatively short time later.

21      Q. Got it.

22                Anyone else that you spoke to?

23      A. Not that I recall.

24      Q. Do you recall what documents were made  
25      available for your review in advance of today?

1     **A. I don't believe I accessed any documents other**  
2     **than documents that would readily be available**  
3     **to me via the website or internal networking**  
4     **drives.**

5     **Q. When you say the website, are you talking**  
6     **about the public-facing sigsauer.com?**

7     **A. I definitely did review items on the**  
8     **public-facing sigsauer.com. Through our**  
9     **internal SIG central I accessed other PLM**  
10    **systems, Product Lifecycle Management systems,**  
11    **where I can review skews, bills and materials,**  
12    **change dates, when jobs were manufactured,**  
13    **things like that.**

14    **Q. Okay. And you said SIG central?**

15    **A. SIG central is what we call our internal**  
16    **intranet site.**

17    **Q. How long has Sig central been in operation?**

18    **A. I do not know the answer to that question.**

19    **Q. Has it been there the whole time you have?**

20    **A. I do not think so, but I am not positive. I**  
21    **don't recall what internal intranet site we**  
22    **might have had when I started.**

23    **Q. And you use another acronym but I missed it,**  
24    **PLM.**

25            **Did I --**

1 A. That's Product Lifecycle Management.

2 Q. Tell us what that is, please.

3 A. Typically a software-based application that  
4 companies use to manage their products in  
5 terms of part numbers, part numbers that are  
6 in development, part numbers that become  
7 active in terms of production ready, and then  
8 transition into lifecycle exit statuses where  
9 they're no longer being used. It -- it's a  
10 repository of all the information, including  
11 drawing revisions and change orders, things of  
12 that nature.

13 And then we also have a system that we  
14 call Agile EBS, which couples with -- I'm  
15 sorry. It's Oracle EBS, and it couples with  
16 the Agile PLM system, and it actually tracks  
17 inventory and jobs in terms of when skews  
18 would actually be produced or assembled,  
19 things of that nature. It contains purchase  
20 order information, things like that.

21 Q. So the PLM or Product Lifecycle Management  
22 system, is called Agile?

23 A. That's the front end to it, and it's coupled  
24 with the Oracle EBS that is accessed through a  
25 different portal, if you will, but contains



1       **associated information.**

2       Q.   How long has the Oracle EBS system been used  
3       at Sig Sauer?

4       **A.   Oracle EBS I believe was in place when I**  
5       **started at Sig Sauer.   The Agile front end was**  
6       **not.**

7       Q.   Do you recall when the Agile front end came  
8       along?

9       **A.   I don't remember specifically.**

10      Q.   What's your best estimate?

11      **A.   I started in 2013.   2015 maybe, roughly.   I**  
12      **don't really remember exactly.   That's --**

13      Q.   Maybe using a benchmark, do you think it was  
14      before or after you rolled off the 320 team to  
15      the 365 team?

16      **A.   I can't say specifically, definitively.**

17      Q.   When you first started with Sig Sauer, how big  
18      was your design team at that point?

19                You said it varied over time, but at the  
20      beginning what was it?

21      **A.   I believe four people reported to me directly**  
22      **at that time.**

23      Q.   And Sean Toner was one of them?

24      **A.   Correct.**

25      Q.   Who were the others, please?

1     **A.   Robert Sheets, Scott Hagan and Brian McDonald.**

2     Q.   Who was the leader of that team before you  
3         joined Sig Sauer?

4     **A.   My understanding is that there was a period of**  
5         **time before I joined where those people were**  
6         **reporting to the VP of engineering.**

7     Q.   Had there previously been a team lead on  
8         those -- on the 260, 350 project?

9     **A.   There it was a gentleman whose name was Steve**  
10        **Perniciaro, who I am not sure if he was a team**  
11        **lead but he was leading engineering**  
12        **development efforts.**

13    Q.   Where did he go?

14    **A.   I do not know.**

15    Q.   Is he still with Sig Sauer?

16    **A.   He is not.**

17    Q.   Can you spell his last name?

18    **A.   I can try.**

19    Q.   Please.

20    **A.   P-e-r-n-i-c-i-a-r-o.   That may not be**  
21        **100 percent correct, but it's very close.**

22    Q.   Fair enough.

23    **A.   He left Sig Sauer before I started there.**

24    Q.   Do you know why he left Sig Sauer?

25    **A.   I do not.**

1 Q. All right.

2 (Deposition Exhibit No. 3 was marked for  
3 identification.)

4 Q. All right. So I recently sat through a trial  
5 involving the P320, and it was surprising to  
6 me how many technical terms there are with  
7 firearms and how much disagreement there were  
8 about terms.

9 And so I started working on a glossary,  
10 and then I found that there is a glossary on  
11 Sig Sauer's website.

12 Do you see at the bottom there's URL for  
13 that?

14 **A. I do see that.**

15 Q. Okay. And at the top you see this was printed  
16 9/9 at 10:30 in the morning or at least its  
17 PDF?

18 **A. I see that date.**

19 Q. And so rather than get into a situation of  
20 asking you -- conducting a memory quiz of all  
21 these technical terms, I want to look at this.  
22 There's a few terms we're going to use  
23 throughout the day. I want to make sure that  
24 you agree with them on behalf of this is what  
25 SIG is putting out to the public, but I want

1 to make sure that you agree with these from an  
2 engineering and give you a chance to correct  
3 anything. Is that fair?

4 **A. Understood.**

5 Q. Okay. So the first place I want to start is  
6 on the first page Action Type, which the term  
7 action type describes how a firearm loads,  
8 fires and ejects a projectile.

9 Do you see that?

10 **A. I do see that.**

11 Q. Do you think that's an accurate definition?

12 **A. I think that's a very broad generic**  
13 **definition.**

14 Q. Okay. Would you use a better one?

15 **A. When I personally think about action type, I**  
16 **think about single action, double action and**  
17 **SA, slash, DASDA, which would be single**  
18 **action, double action, and striker fired**  
19 **action.**

20 Q. And I'll preview those -- most, if not all of  
21 those terms, are defined later as we get --  
22 get into this, and we are going to  
23 specifically be looking at -- at those.

24 **A. Okay.**

25 Q. And so -- and I understand that other than

1 kind of thinking of it in more specific action  
2 terms, but you don't think that is an  
3 inaccurate broad definition for action type,  
4 do you?

5 **A. No.**

6 Q. And so do you think it's important for a  
7 consumer to know what type of action a pistol  
8 has?

9 MR. JOYCE: Objection to form.

10 **A. I don't think it's personally necessary**  
11 **information. That would depend upon the**  
12 **individual procuring the pistol and what**  
13 **information they wanted to know.**

14 BY MR. WERTS:

15 Q. Okay. There was a couple things there. I  
16 just want to break that down and make sure I  
17 understand your answer.

18 And so as a general proposition, you  
19 would not agree with me that it's important  
20 for a consumer to know what type of action a  
21 pistol has?

22 **A. I think it would be prudent for an individual**  
23 **to know generally how a firearm functioned.**  
24 **Whether they knew the name of what people**  
25 **called that action doesn't seem particularly**

1       **important to me.**

2       Q.   Okay.   That's an -- let's get into that.

3               And so as I understand it, whether they  
4       know the correct technical name or not, you  
5       don't think that that really matters to a  
6       consumer.

7               Did I understand that correctly?

8       **A.   It may matter to some consumers, but it likely**  
9       **does not matter to others.**

10      Q.   But understanding the mechanics and how the  
11      pistol functions, that is something you think  
12      that a consumer would want to know.   True?

13              MR. JOYCE:   Objection to form.

14      **A.   In terms of how the operator or user would**  
15      **interface and properly handle that firearm, I**  
16      **would say yes.**

17              BY MR. WERTS:

18      Q.   Okay.   Because the type -- action type a  
19      pistol has might impact the way in which a  
20      user would interface with that pistol.   True?

21      **A.   Not necessarily.**

22      Q.   Why not?

23      **A.   The way the user is going to interface with**  
24      **the pistol is going to depend upon the**  
25      **features that that particular pistol has,**

1       **coupled with generic broad-based safe handling**  
2       **firearm practices.**

3       Q. And at the end you are referring to the ten  
4       basic rules of firearm safety.

5               Is that what you are referring to?

6       **A. Many people call it ten basic rules. There**  
7       **are probably more than ten.**

8       Q. But every Sig Sauer manual published has the  
9       same ten basic firearm safety rules, right?

10      **A. Yes.**

11      Q. It's published all over their website. True?

12      **A. Yes.**

13      Q. And those are just kind of, from Sig Sauer's  
14      perspective, just a given. If you are going  
15      to operate one of our guns, there's these ten  
16      basic safety rules, right?

17      **A. That's included in all of our owners manuals**  
18      **and definitely safety and safe handling**  
19      **practices that we support.**

20      Q. Okay.

21      **A. And promote.**

22      Q. And so does Sig Sauer think that guns of  
23      differing action types require different  
24      things for safe handling?

25               MR. JOYCE: Objection to form.

1           You can answer.

2       **A. Again, I will come back to the way the -- a**  
3       **user should interface with a particular**  
4       **firearm is going to be dependent upon what**  
5       **features are on that firearm.**

6       BY MR. WERTS:

7       Q. And the action type is one of those features.  
8       True?

9       **A. The action type is a descriptor of how the gun**  
10      **generally functions, not necessarily how the**  
11      **user interfaces with a gun or what features a**  
12      **gun would have.**

13      Q. We'll circle back to that as we kind of go  
14      through our list here.

15           All right. I'm not going to go in  
16      alphabetical order because I think it makes  
17      more sense to, kind of as you did, to talk  
18      about these action types.

19           So if you will turn to page seven of nine  
20      for me, please.

21      **A. (Witness complying.)**

22      Q. And mine has kind of got a staple that's going  
23      through it, but the first definition is Single  
24      Action Only or SAO.

25           Do you see that?



1     **A.    I do.**

2     Q.    Can you read that definition and tell me what  
3           you think of it?

4     **A.    There is overtyped verbiage at the top. Hammer**  
5           **to -- I'm sorry. There is -- the definition**  
6           **has overtyped words. So I can't clearly read**  
7           **the last couple of words.**

8     Q.    I will tell you it says -- that it's hammer to  
9           fire a projectile.

10    **A.    Okay.**

11    Q.    So based on that, do you agree or disagree  
12           with that definition?

13    **A.    I would agree with that definition.**

14    Q.    Okay. The next definition is Single Action or  
15           SA.

16           Do you agree or disagree with that  
17           definition?

18    **A.    I would agree in some senses. In the case**  
19           **of -- what we would call a DA, slash, SA, you**  
20           **know, pistol that has a double action and**  
21           **single action mode, the single action mode**  
22           **could be initiated through manually cocking**  
23           **the hammer as is described here, or it could**  
24           **be a function of a second follow-up shot where**  
25           **the slide has caught the hammer and put it**

1       **into single action mode.**

2       Q.   Okay.   Let's break that down a little bit  
3       for -- for maybe the non-gun enthusiasts that  
4       may have to watch this later.

5               So a single action gun, that somehow  
6       the -- the hammer or the mechanism is manually  
7       put into a firing position, correct?

8               MR. JOYCE:   Objection to form.

9       **A.   The hammer is put into a single action mode**  
10       **where the hammer is cocked.**

11       BY MR. WERTS:

12       Q.   Okay.   And that may be by manual activity of  
13       the user, would be one way that it's done in  
14       some pistols?

15       **A.   The user -- the user on a pistol that has an**  
16       **exposed hammer spur could manually cock the**  
17       **hammer and put it in single action mode.**

18       Q.   And then it may also be by virtue of a double  
19       action trigger pull that we are going to talk  
20       about that pushes the slide back, and the  
21       mechanism of the gun puts the hammer into a  
22       fire position.

23       **A.   Firing in double action mode would cause the**  
24       **slide to reciprocate on semiautomatic pistols,**  
25       **and the slide reciprocation in those pistols**

1       so designed would leave the hammer in a single  
2       action mode where the hammer is cocked.

3       Q. And we find something similar in revolvers as  
4       well, correct?

5       A. Dependent upon the design.

6       Q. Right. So in early revolver design, they were  
7       all single action pistols, correct?

8       A. I do not know the history of revolver design  
9       well enough to answer that definitively.

10      Q. You ever watch a cowboy movie?

11      A. I have watched a cowboy movie.

12      Q. Okay. And you see them where they take their  
13      hand on the back of it, pull the hammer back  
14      and it locks into place before it's fired.

15               Have you seen examples of that?

16      A. I have.

17      Q. That would be a single action being done  
18      manually, correct?

19      A. Correct.

20      Q. Then they pull the trigger. The hammer only  
21      moves in a single direction moving forward.  
22      True?

23      A. With such firearms, correct.

24      Q. In that -- the cowboy revolver example, but if  
25      we get into something more modern where it's a

1 hammer fired pistol that Sig Sauer produces --  
2 because Sig Sauer produces some hammer fired  
3 pistols, correct?

4 **A. That is correct.**

5 Q. And if it is in a single action mode, then  
6 when the trigger is pulled the action of the  
7 pistol moves in one direction, in a single  
8 direction forward to strike the primer,  
9 correct?

10 **A. In the single action mode, the trigger pull**  
11 **releases the cocked hammer to hit the firing**  
12 **pin and fire the weapon.**

13 Q. Meaning that the hammer moves in a single  
14 direction.

15 **A. Correct, albeit rotational.**

16 Q. Sure. But whereas a striker fired pistol is  
17 more of a straight line.

18 **A. And the difference between a striker fired**  
19 **pistol and a hammer fired pistol is in a**  
20 **hammer fired pistol the -- the spring energy**  
21 **is directed to the hammer, and then the hammer**  
22 **impacts a firing pin.**

23 In a striker fired pistol, the spring is  
24 acting directly on the striker, which is  
25 equivalent to a firing pin.

1 Q. And we're probably going to get into  
2 excruciating detail on that distinction later.

3 **A. Understood.**

4 THE VIDEOGRAPHER: Can we go off the  
5 record for a second?

6 MR. WERTS: Sure.

7 THE VIDEOGRAPHER: Off the record at  
8 9:43.

9 (Brief recess taken.)

10 THE VIDEOGRAPHER: We're back on the  
11 record at 9:46. Media No. 2. Please proceed.

12 BY MR. WERTS:

13 Q. Now let's go back to double action. We've  
14 kind of been talking around it, but let's look  
15 at the definition that SIG has provided. That  
16 is so page two of nine.

17 So this describes that a double action  
18 refers to the action of a trigger that both  
19 cocks a firearm's hammer and releases it with  
20 one press of the trigger.

21 Do you agree with that definition?

22 **A. I do.**

23 Q. Anything that you would add or change to that  
24 definition?

25 **A. No.**

1 Q. And so as one way to think of a double action  
2 is that it's two movements of the firing  
3 mechanism both back and forward off of the  
4 single trigger pull.

5 **A. In a hammer fired pistol, the hammer would be**  
6 **rotated one direction as it's cocked and then**  
7 **the other direction as it's released.**

8 Q. Okay. And for a striker fired pistol?

9 **A. Similarly in a linear fashion the striker**  
10 **would be moved in one direction to cock it and**  
11 **then released, and it would move in other**  
12 **direction to discharge the weapon.**

13 Q. And so if we look up on the same page, it has  
14 the definition for the word cocked, which is  
15 the rearward position of a firearm's hammer  
16 rendering it ready to fire.

17 Do you see that?

18 **A. I do see that.**

19 Q. Do you agree with that definition?

20 **A. As it relates to a hammer fired firearm, yes.**

21 Q. But it doesn't describe the mechanism for a  
22 striker fired, does it?

23 **A. This definition does not include striker fired**  
24 **terminology.**

25 Q. But it is similar in that the cocking

1 mechanism is what pulls back the striker, put  
2 enough energy into the machine so that it can  
3 move forward and strike the primer. True?

4 **A. That is -- that is correct. A cocked striker**  
5 **would have the energy stored to fire the**  
6 **weapon.**

7 Q. And that would be the same with a hammer fired  
8 pistol as well, wouldn't it? That the cock --  
9 mechanism of cocking it is what puts  
10 sufficient energy into that machine so that it  
11 can fire a projectile.

12 **A. Correct.**

13 Q. And if a pistol is uncocked, it does not have  
14 sufficient energy to fire a projectile through  
15 normal use.

16 **A. Yes. I mean, typically uncocked would not**  
17 **have any energy stored.**

18 Q. And you have to have some energy to fire the  
19 projectile; is that true?

20 **A. That's correct.**

21 Q. All right. Going back down to the bottom of  
22 page nine, it has something called a double  
23 action Kellerman?

24 I'm sorry. Page two of nine. I  
25 misdirected you. Apology.

1           Where it says it's fired by pressing the  
2           trigger to the rear which causes the hammer to  
3           cock and release.

4           Do you see that?

5       **A. I do see that.**

6       Q. What is the difference between a double acton  
7           and a double action Kellerman?

8       **A. I am not intimately familiar with the details**  
9           **of the double action Kellerman design, but it**  
10          **does act similar to a double action. The**  
11          **trigger pull cocks the hammer and then**  
12          **releases it.**

13      Q. And if you'll turn the page for me?

14      **A. Page three?**

15      Q. Please.

16           The first definition on this age is for  
17           Double Action Only or DAO, which is, in other  
18           words, the trigger pulls back the hammer and  
19           releases it with every shot.

20           Do you see that?

21      **A. I do see that.**

22      Q. And does that -- does that also apply for  
23           striker fired pistols or is that just for  
24           hammer fired only?

25      **A. I don't see a reason why it couldn't apply to**



1 **striker fired pistols.**

2 Q. Then our next definition is a double action,  
3 slash, single action or DA, slash, SA, which  
4 just tells us that the DA/SA firearms, the  
5 first shot is initiated with the double-action  
6 function of the trigger where the hammer is  
7 cocked back and released with a press of the  
8 trigger.

9 Do you agree or disagree with that  
10 definition?

11 **A. That definition is accurate if the state of**  
12 **the firearm prior to the first shot is with**  
13 **the hammer not cocked in a double action mode.**  
14 **On -- on many DA/SA guns, the hammer could be**  
15 **put into a single action mode whereby the**  
16 **first shot would be a single action shot.**

17 Q. And just the action of the way the gun  
18 reciprocates after the trigger is pulled puts  
19 the -- the gun back into a cocked position  
20 each time. Is that true?

21 **A. Dependent of which state the first shot was**  
22 **taken in. The reciprocation of the slide**  
23 **would leave the hammer cocked in a single**  
24 **action mode after the first shot on a DA/SA**  
25 **firearm.**

1 Q. Let's turn to page five of nine, please.

2 And then kind of, oh, just down the  
3 first -- one definition I want to talk about  
4 is manual safety. And it tells us a manual  
5 safety is a device that is designed to  
6 prohibit the trigger function of a firearm.

7 Do you agree or disagree with that  
8 definition?

9 **A. In a broad sense I would agree. I would say a**  
10 **manual safety is a device that is designed to**  
11 **prevent the trigger mechanism from firing when**  
12 **the trigger is depressed.**

13 Q. And do you agree with me that safety  
14 mechanisms are used to help prevent the  
15 accidental firing or discharge of a firearm  
16 which can help ensure safer handling?

17 MR. JOYCE: Objection to form.

18 **A. I think we have to define what an accidental**  
19 **discharge is.**

20 BY MR. WERTS:

21 Q. Go for it.

22 **A. Well, if we -- if we talk about a drop**  
23 **scenario or abusive handling case, for**  
24 **example, then -- then, yes, there is**  
25 **definitely safety mechanisms in the design of**

1       pistols which are intended to prevent  
2       discharge under set standard testing.

3       Q.   What about outside of drop fire or abusive  
4       handling situations?

5       A.   Certainly a manual safety, for example, could  
6       be used to augment the safe handling practices  
7       of any person carrying or using a firearm  
8       should employ.

9       Q.   And do you agree that that would help to  
10       prevent the accidental firing or discharge of  
11       that firearm?

12       A.   It may if used appropriately under certain  
13       circumstances.

14       Q.   What are the circumstances?

15       A.   For example, if the manual safety is in the  
16       safe mode and the trigger is depressed, then  
17       it would perform as intended and block the  
18       trigger mechanism from releasing the hammer or  
19       sear.

20       Q.   And do you agree or disagree that a manual  
21       safety mechanism can help ensure safer  
22       handling?

23       A.   I personally believe that safe gun handling is  
24       a function of safe handling practices,  
25       familiar -- familiarity with the firearm

1 and -- and accepting those responsibilities of  
2 knowing how to use or carry it safely.

3 Q. But as to the question of manual safety, do  
4 you think it can help ensure safer handling?

5 A. It could augment safer handling.

6 Q. And do you think that augmentation could  
7 ensure safer handling?

8 A. Not necessarily. Again it comes down to how  
9 the user interfaces with the firearm.

10 Q. Do you agree it is advantageous to have a  
11 safety mechanism designed that provides two  
12 distinct positions, safe and fire?

13 A. Could you repeat the question, please?

14 Q. Of course.

15 Do you agree that it is advantageous to  
16 have a safety mechanism designed that provides  
17 two distinct positions, safe and fire?

18 MR. JOYCE: Objection to form.

19 You can answer.

20 A. I think that some users and some law  
21 enforcement agencies and other parties view it  
22 as advantageous, and there are others which do  
23 not view it as advantageous to have as a  
24 feature set on a firearm.

25 BY MR. WERTS:

1 Q. And this is one of those you're Sig Sauer.

2 Do you think it's advantageous?

3 A. I think it can be advantageous when it is what  
4 the customer wishes to have.

5 There are potential downsides in a life  
6 or death situation of a manual safety in the  
7 time to actually, the safety, to disengage it  
8 may add to the time required to fire a shot,  
9 if needed.

10 Q. Is Sig Sauer aware of any instance where a  
11 user's inability to take the pistol off of a  
12 manual safety impacted their ability to use a  
13 Sig Sauer pistol to defend themselves?

14 A. I do not know the answer to that question.

15 Q. What steps has Sig Sauer ever undertaken to  
16 determine whether there is any validity to the  
17 position that the time to take a pistol off  
18 manual safety would have any impact in a  
19 self-defense situation?

20 A. I am not aware of specific steps Sig Sauer has  
21 taken, but I am aware of the fact that there  
22 are Sig Sauer customers who do not want manual  
23 safeties on their firearms and have included  
24 such in product requirement specifications.

25 Q. So you've got the customer -- we'll come back

1 to the customer specifications.

2 Other than receiving customer  
3 specifications, what step has Sig Sauer taken  
4 to determine whether or not that it's actually  
5 a valid concern?

6 **A. As I said earlier, I am not aware of steps Sig**  
7 **Sauer has taken to try to evaluate that in any**  
8 **testing or such manner.**

9 Q. And is Sig Sauer aware of any instances where  
10 a manual safety or the inclusion of a manual  
11 safety delayed usage of a gun in a self  
12 defense or other combat situation?

13 MR. JOYCE: Asked and answered.

14 You can answer it again.

15 **A. As I said earlier, I do know not know the**  
16 **answer to that question.**

17 BY MR. WERTS:

18 Q. Sig Sauer sells some pistols that are certain  
19 model pistols where every one of them comes  
20 with a manual safety. True?

21 **A. That is correct.**

22 Q. And those pistols that come with a manual  
23 safety on every version of that model, those  
24 are sold to consumers for use in self defense  
25 applications. True?

1     **A. I don't believe Sig Sauer sells product**  
2         **specifically for one application or another.**  
3         **The intention of our customer's use is not**  
4         **something we necessarily know.**

5     Q. And so Sig Sauer's pistols are designed to be  
6         functional in a variety of use cases. True?

7     **A. That is true.**

8     Q. One of those use cases is self defense.

9     **A. Correct.**

10    Q. And that's true for every pistol Sig Sauer  
11       makes.

12    **A. I would not say that we market all of our**  
13       **pistols as primarily being for self defense,**  
14       **but we also wouldn't tell a customer that they**  
15       **couldn't use a pistol for self defense.**

16    Q. But there is not any -- scratch that. I think  
17       you may have already answered that.

18               What is a Sig Sauer model that has a  
19       manual safety on every one of them?

20    **A. P938.**

21    Q. Any others?

22    **A. P322.**

23    Q. Any others?

24    **A. 238.**

25    Q. Others?

1     **A. There are many variants of 226, 229 that have**  
2     **manual safeties.**

3     Q. And just so that we are clear, I'm not talking  
4     about manual safety optional. I'm looking for  
5     Sig Sauer model pistols where every one of  
6     them come standard with a manual safety.

7     **A. So if we look at the P226, P229, 220, then**  
8     **there are variants with and variants without**  
9     **manual safeties.**

10    Q. But every P -- did you say it was the 238 or  
11    the 338 or both?

12    **A. 238 and the 938.**

13    Q. 938.

14           The 238 and the 938, those are both  
15    striker fired pistols, true?

16    **A. No, those are hammer fired pistols.**

17    Q. The P322 is also a hammer fired pistol, true?

18    **A. The P322 is an internal hammer fired pistol.**

19    Q. What about the 26 and the 29?

20    **A. P226 and P229 are hammer fired.**

21    Q. Internal or external?

22    **A. External.**

23    Q. Other than the P322, does Sig Sauer  
24    manufacture any other internal hammer fired  
25    pistols?



1     **A. Not currently.**

2     Q. Have they in the past?

3     **A. I don't know the answer to that definitively.**

4     Q. Was the P250 an internal or external hammer?

5     **A. The P250 hammer was visible. However, it did**  
6     **not have a hammer spur that you could easily**  
7     **actuate by hand.**

8     Q. Would you agree with me that a manual safety  
9     is critical in preventing unintended firing of  
10    a weapon?

11           MR. JOYCE: Objection to form.

12    **A. No.**

13           BY MR. WERTS:

14    Q. What is a grip -- or I guess we got our  
15    definitions. I said I wasn't going to do that  
16    to you.

17           If you go back to page four, please?

18    **A. (Witness complying.)**

19    Q. So grip safety it defines as primarily a  
20    feature of 1911-style handguns. Grip safety  
21    is a mechanical device build into the rear  
22    portion of a grip that prevents the pistol  
23    from firing unless it is firmly grasped.

24           Do you see that?

25    **A. I do see that.**

1 Q. Do you agree with that definition?

2 **A. In a general sense, yes.**

3 Q. Sig Sauer manufactures a 1911-style pistol,  
4 true?

5 **A. Correct.**

6 Q. That Sig Sauer 1911-style pistol has a grip  
7 safety.

8 **A. It does.**

9 Q. Other manufactures put a grip safety on their  
10 striker fired semiautomatic pistols, do they  
11 not? Not all but some.

12 **A. I believe that is correct. But there have**  
13 **been some striker fired pistol models that**  
14 **have a grip safety, although I do not believe**  
15 **it was the majority of stricter fired pistol**  
16 **offerings.**

17 Q. Turn to page five for me, please.

18 **A. (Witness complying.)**

19 Q. We got a definition for mil spec, which is a  
20 colloquialism that describes items built to  
21 certain dimensions, materials, and tolerances  
22 specified by the United States military.

23 Do you see that?

24 **A. I do see that.**

25 Q. Do you agree with that definition?

1     **A. Generally, yes.**

2     Q. And then the next one is mil standard, which  
3         it says is similar to mil spec but is  
4         shortened version of the term military  
5         standard.

6                 Do you see that?

7     **A. I do see that.**

8     Q. From an engineering perspective is there a  
9         distinction between those two things?

10    **A. I do not know the answer to that.**

11    Q. Is the consumer version of the P320 engineered  
12         to military standards?

13    **A. Not specifically.**

14    Q. What does that mean?

15    **A. In the development of the P320, we were not**  
16         **targeting mil standards as a whole for**  
17         **component design.**

18    Q. Did that change after the military contract  
19         was awarded in 2017?

20    **A. No. The components of the M17 and M18 for the**  
21         **army are virtually identical to components**  
22         **that were used in the commercial products.**

23    Q. Now for completeness, if you'll turn to page  
24         seven for me.

25    **A. (Witness complying.)**

1 Q. There is two definitions here. Striker, which  
2 is a part of a semiautomatic that impacts the  
3 primer on a cartridge to fire the projectile.

4 Do you see that?

5 **A. I do see that.**

6 Q. Do you agree with that definition?

7 **A. Generally I would say a striker or striker pin**  
8 **is the component in a striker fired**  
9 **semiautomatic pistol that impacts the primer**  
10 **on the cartridge to fire the projectile.**

11 Q. You were kind of shaking your head. Was there  
12 part of that -- the definition that's written  
13 here you don't agree with? Or maybe I'm just  
14 misreading your facial expression.

15 **A. I think you're misreading expression.**

16 **The -- the terminology here doesn't say**  
17 **specifically that it would be in a striker**  
18 **fired firearm.**

19 Q. I see.

20 And the next one is striker fired. It's  
21 a semiautomatic handgun that uses a striker  
22 rather than a hammer to impact the cartridge.

23 Do you see that?

24 **A. I do see that.**

25 Q. Do you agree with that definition?

1     **A. In a very specific way, no. In a striker**  
2       **fired semiautomatic handgun, the striker does**  
3       **impact the cartridge primer. However, in a**  
4       **hammer fired firearm it's actually the firing**  
5       **pin that would hit the primer after it was**  
6       **impacted by the hammer.**

7     Q. So we talked a little bit about the different  
8       action types, and Sig Sauer has some pistols  
9       that have a single action phase or, for lack  
10      of a better term, in their cycle. Is that  
11      correct?

12    **A. Yes.**

13    Q. Are there any Sig Sauer pistols that have a  
14      single action phase that do not come with  
15      manual safeties?

16    **A. DAS models do not have manual safeties.**

17    Q. What is a DAS model?

18    **A. I am sorry. DA/SA, as we referred to the**  
19      **definition earlier, double action, single**  
20      **action.**

21    Q. So if it's a DA/SA, it does not always have a  
22      manual safety. True?

23    **A. That is correct.**

24    Q. But if it is a single action or single action  
25      only pistol manufactured by Sig Sauer, it does

1 have a manual safety?

2 **A. I would not say that the incorporation of a**  
3 **manual safety into a model is necessarily**  
4 **dictated by whether it's a single action or a**  
5 **double action or DA/SA. However, I do believe**  
6 **all of our SAO models do have a manual safety.**

7 Q. And I wasn't trying to trick you in some  
8 causation type argument. I was just looking  
9 for correlation on this one.

10 And so if we pull out the catalog, all  
11 the single action only pistols that Sig offers  
12 have a manual safety on them for -- correct?

13 **A. I believe that is correct.**

14 Q. Now, there are a few terms that I've heard  
15 that I didn't find in our glossary.

16 One was trigger weight. Are you familiar  
17 with that term?

18 **A. I am.**

19 Q. Tell us what that means, please.

20 **A. The term trigger weight is usually referred to**  
21 **as -- or also known as trigger pull weight,**  
22 **and it would be the maximum trigger force**  
23 **applied directly in line to the trigger in**  
24 **order to cause release of the hammer or sear.**

25 Q. And then we talked about different parts.

1 We've not talked about a sear yet.

2 Tell us what that is.

3 **A. A sear is a component that would either hold**  
4 **the hammer cocked in a hammer fired pistol or**  
5 **hold the striker cocked in a striker fired**  
6 **pistol.**

7 Q. Okay. Double action pistols typically have a  
8 heavier trigger weight because they have to  
9 pull the firing mechanism back to cock it,  
10 correct?

11 **A. That's generally true.**

12 Q. And that heavier weight is where the energy  
13 comes from in order to put the gun into a  
14 cocked position. True?

15 **A. Some of the trigger pull weight, and in double**  
16 **action models, much of the trigger pull weight**  
17 **does account for the cocking of the striker or**  
18 **hammer.**

19 Q. Another term that I have seen is trigger pull  
20 distance or trigger pull link.

21 Are you familiar with -- which one of  
22 those do you prefer?

23 **A. I don't have a preference.**

24 Q. What are they then?

25 **A. Well, a trigger pull distance is measuring**

1       some distance of trigger travel typically  
2       measured at the point where a user's finger  
3       would interface with the trigger.

4       Q. And so in the Sig Sauer P320 is -- does it  
5       have something sometimes referred to as  
6       pre-travel?

7       A. There is a phase of the trigger pull which we  
8       often refer to as pre-travel.

9       Q. Tell us what that is, please?

10      A. It would be the travel of the distance of the  
11      trigger from the point where the trigger is at  
12      rest with no contact made to the point where  
13      the trigger motion moves the trigger bar  
14      sufficiently to contact the sear.

15      Q. And does that pre-travel typically have a much  
16      lighter trigger weight than once the sear is  
17      contacted?

18      A. It does have a lighter weight, yes.

19      Q. Roughly what is the weight to move the P320  
20      trigger through the pre-trial phase?

21      A. I don't specifically know the answer to that.  
22      It's less than the trigger pull weight to fire  
23      the weapon.

24      Q. And it's a lot less, isn't it?

25      A. It's not nearly the same. I don't know in



1 terms of proportion or percentage what it is  
2 out of my head.

3 Q. By your definition, it is not nearly the same  
4 weight, meaning that it is less. True?

5 A. The force required to pull a P320 trigger  
6 through the pre-travel distance is less than  
7 the force required to fully release the sear  
8 and discharge the weapon.

9 Q. And it is, I think you said, not nearly the  
10 weight that it actually takes to -- to pull  
11 through the sear?

12 A. I don't know the percentage of the full  
13 trigger pull weight. It also is not linear.  
14 Well, I am sorry. It is not a constant. As  
15 the trigger is pulled through pre-travel,  
16 other things happen that do cause the trigger  
17 pull weight to change through that pre-travel.

18 Q. What are those things?

19 A. The safety lever is rotated which causes the  
20 striker safety lock to move up, and that is  
21 spring loaded, so as the trigger is being  
22 pulled that force is changing.

23 Q. So the striker safety level is moved out of  
24 place before or during the process of  
25 pre-travel?

1 A. Pre-travel does partially -- it does move the  
2 safety lever and partially initiates that  
3 action.

4 In addition, the trigger bar spring which  
5 returns the trigger or resets the trigger is  
6 also being -- it's a torsion spring, but it's  
7 being wound up, and its resistance to trigger  
8 pull motion through pre-travel is also  
9 increasing.

10 Q. What is a tabbed trigger?

11 A. A tabbed trigger is generally referred to as a  
12 mechanism where the trigger has some sort of  
13 locking feature that can prevent motion unless  
14 a tab or some other component is also moved,  
15 meaning that pulling the trigger would induce  
16 multiple motions.

17 Some incarnations you could think of as a  
18 kickstand where depressing the tab on a  
19 trigger and then -- moves a kickstand out of  
20 the way and then allows the rest of the  
21 trigger mechanism to be rotated. It's a  
22 design that's very often used to improve drop  
23 safety circumstances of some firearms.

24 Q. Can a tabbed trigger also help prevent  
25 unintended discharges?

1     **A. I don't know that to be the case. I am not**  
2     **aware of any standardized testing that would**  
3     **show that, or I am not aware of any tests that**  
4     **have been done that would necessarily lead me**  
5     **to believe that.**

6     **Q. What tests has Sig Sauer undertaken to**  
7     **investigate that proposition?**

8     **A. As I stated before, there are no standardized**  
9     **tests for this. In -- in establishing a**  
10    **scientific test to try to evaluate that, it**  
11    **seems that the number of potential scenarios**  
12    **one would try to have to evaluate could be**  
13    **limitless, and to have a valid scientific test**  
14    **the test would have to be designed such that**  
15    **it's very repeatable with consistent results**  
16    **each time; and no such test, to my knowledge,**  
17    **has been developed.**

18    **Q. And so the short -- I understand the**  
19    **scientific method, and we'll talk about that.**

20           The -- but the short answer is Sig Sauer  
21    has undertaken no tests to evaluate whether a  
22    tabbed trigger would improve unintentional  
23    discharge safety. True?

24    **A. I can -- I don't know that we've done any,**  
25    **what I would call, scientific tests to try to**

1 assess that because, to my knowledge, no  
2 scientific tests have been developed to do so.

3 I can say that I question the  
4 effectiveness of tabbed triggers as being able  
5 to prevent inadvertent trigger motion in a lot  
6 of scenarios. Whether there is some scenario  
7 that it could prevent unintended trigger  
8 motion, that's plausible; but as I would see  
9 it, the effectiveness at doing so is not  
10 obvious.

11 Q. Okay. Two things in that answer, I want to  
12 break them down separately.

13 And just so that I understand this, you  
14 agree with me that, for all the reasons you've  
15 already stated, but it is true that Sig Sauer  
16 has undertaken no testing to evaluate the  
17 effectiveness of a tabbed trigger as it  
18 relates to unintendable discharge safety.  
19 True?

20 MR. JOYCE: Objection. Asked and  
21 answered multiple times.

22 You can answer one more time, and I am  
23 going to ask counsel to move on.

24 MR. WERTS: It hasn't been answered yet.  
25 But go ahead.

1 MR. JOYCE: I -- I disagree.

2 A. I am not -- I am not aware of any scientific  
3 tests or exhaustive -- exhaustive tests that  
4 have been performed to try to evaluate the  
5 efficacy of a tabbed trigger design in terms  
6 of its preventing unintentional motion of the  
7 trigger.

8 I am -- I'm aware of the fact that there  
9 are a wide variety of tabbed trigger designs  
10 on the market. Many of them don't seem that  
11 they would prevent unintended motion of the  
12 trigger due to the trigger being depressed in  
13 any meaningful way.

14 BY MR. WERTS:

15 Q. Has Sig Sauer undertaken any sort of  
16 comparative analysis between those different  
17 types of tabbed triggers to determine which  
18 are more or less effective in preventing  
19 unintended discharges?

20 A. We have not done testing on a variety or  
21 multitude of competitor tabbed trigger designs  
22 to try to assess that.

23 Q. Has Sig Sauer tested any of its own tabbed  
24 trigger designs?

25 A. To my knowledge, we have not tested tabbed

1 trigger designs to try to assess whether or  
2 not intended or depressing the trigger was  
3 harder or easier with a tabbed trigger.

4 We are aware of instances where we have  
5 heard of tabbed trigger designs not  
6 functioning or not allowing the trigger to be  
7 pulled when it was desired for the trigger to  
8 be pulled, but we have not done any testing to  
9 ascertain specifics of that.

10 Q. Okay. Has Sig Sauer undertaken any testing of  
11 a tabbed trigger of its own design?

12 A. Yes.

13 Q. In what context?

14 A. We have looked at tabbed triggers in the  
15 context of drop scenarios.

16 Q. Anything else?

17 A. Not to my knowledge.

18 Q. Okay. A few answers ago you indicated a  
19 statement where you said that -- and I am not  
20 trying to put words in your mouth. I'm not  
21 going to get this right because it was enough  
22 questions ago -- where you said that -- you  
23 said, I don't think a tabbed trigger would  
24 help with unintended discharges or something  
25 to that effect.

1 Do you recall that answer?

2 **A. Generally.**

3 Q. Okay. What is your basis for that belief?

4 **A. A general understanding of the nature of how a**  
5 **foreign object, for example, could come in**  
6 **contact with a trigger and cause trigger**  
7 **actuation independent of whether the tabbed**  
8 **design was there or not.**

9 Q. And in that context -- just this is one where  
10 we kind of need to split -- are you saying I  
11 in the terms of I, Matt Taylor, don't think  
12 that or I, Sig Sauer, don't think that?

13 **A. I, Matt Taylor, don't think that, and there**  
14 **are many other people at Sig Sauer that don't**  
15 **think that either.**

16 Q. Who are those people?

17 **A. Adrian Thomele.**

18 Q. Anyone else?

19 **A. I can't say specifically.**

20 Q. You also indicated that you are aware of  
21 instances where a tabbed trigger allegedly  
22 interfered with the operation of a pistol when  
23 someone was intending to pull the trigger.

24 Do you recall indicating that?

25 **A. I have read such comments online.**

1 Q. Okay. Where?

2 A. I don't recall which forum or websites I was  
3 looking at.

4 Q. Was this research that you were doing in your  
5 context of -- as just personal research or as  
6 your role with Sig Sauer or something in  
7 between?

8 A. It would not have been personal research. It  
9 was probably information I came across in  
10 preparing for this deposition.

11 Q. How long have you been aware of these reported  
12 instances of a tabbed trigger potentially  
13 causing interference with using a firearm?

14 A. I have been aware of the potential for that  
15 since I first became aware of tabbed trigger  
16 designs. That's frankly one of the reasons  
17 that I personally am not someone who would  
18 want a tabbed trigger on my firearm because  
19 it's -- provided that the firearm does not  
20 require the tabbed safety or tabbed trigger  
21 for drop safety purposes, view it as  
22 additional components that could create a  
23 problem. And there's a general engineering  
24 principle that we would want to minimize the  
25 number of components to those that are



1 necessary for the proper function of the  
2 firearm.

3 Any mechanical mechanism can fail, be  
4 affected by contamination. Contamination  
5 particulate that gets behind a tabbed trigger,  
6 even if the tabbed trigger is otherwise free,  
7 could limit motion of the trigger and result  
8 in the trigger not being able to be pulled.  
9 And if that is in a life or death situation  
10 where somebody is reliant on the firearm,  
11 that's not what I want to have happen.

12 Q. And so your recollection, as I understand it,  
13 is you saw some online forum, someone  
14 reporting a problem when they tried to pull a  
15 trigger on a pistol; is that right?

16 A. Correct.

17 Q. Was there any other detail of this incident?

18 A. I don't recall the specifics, but I think  
19 there were multi -- it was reported that  
20 multiple people had cited that as an issue,  
21 and I believe alternate versions of the tabbed  
22 trigger design were released at a later date  
23 that may or may not have been tied to  
24 improving that issue.

25 Q. Was this issue with a particular

1 manufacturer's gun?

2 **A. It was.**

3 Q. Who was the manufacturer?

4 **A. I don't recall specifically.**

5 Q. Okay. But it was just one manufacturer that  
6 was being discussed on the one forum you are  
7 thinking of?

8 **A. In that instance, yes. It's not something I**  
9 **spent a lot of time searching for online.**  
10 **Just something I was browsing the internet and**  
11 **came across.**

12 Q. And the people that were reporting this, did  
13 you have any information on their background  
14 or training with firearms?

15 **A. I believe I read about it in a -- like a**  
16 **product review type forum of comments. I**  
17 **don't remember which website it was.**

18 Q. And so whenever you're doing online  
19 research -- you've clicked through a lot of  
20 websites. It's not uncommon that you might  
21 not remember the exact website you saw. True?

22 **A. Correct.**

23 Q. But as you sit here today, you are left with a  
24 strong impression of this memory of the  
25 information that you received even if you

1 can't articulate the exact details.

2 **A. I certainly recollect reading that there were**  
3 **issues with the tabbed trigger not being able**  
4 **to be depressed when it was intended to.**

5 Q. And reading that has impacted your engineering  
6 opinion of -- about tabbed triggers. Is that  
7 true?

8 **A. I would say it supports my -- my belief that a**  
9 **tabbed trigger could impede intended trigger**  
10 **actuation under some circumstances.**

11 Q. Okay.

12 MR. WERTS: Let go off the record and  
13 take a short break. We've been going about an  
14 hour.

15 THE VIDEOGRAPHER: Off the record 10:31.

16 (Brief recess taken.)

17 THE VIDEOGRAPHER: We're back on the  
18 record at 10:25. Media No. 3. Please  
19 proceed.

20 BY MR. WERTS:

21 Q. I want to go back and just do a little bit of  
22 housekeeping stuff.

23 You indicated you had testified at a  
24 deposition one other time before; is that  
25 right?

1     **A. That's correct.**

2     Q. Was that related to your work with Sig Sauer?

3     **A. It was.**

4     Q. When was that?

5     **A. June of this year.**

6     Q. What was the general matter of your discussion  
7     during that deposition?

8     **A. It was the Cole case, that we touched on many**  
9     **of the things we have talked about.**

10    Q. And that was -- you said it was Cole, C-o-l-e?

11    **A. Correct.**

12    Q. Do you know what court that was pending in?

13    **A. I do not.**

14    Q. Was that related to the Sig Sauer P320?

15    **A. It was.**

16    Q. Was that an unintended discharge case?

17    **A. I don't recall if there was unintended**  
18    **discharge specific to the case.**

19    Q. What did the case have to do with P320 then?

20    **A. I was asked questions about single action,**  
21    **double action. Many of the same questions**  
22    **you've asked about.**

23    Q. Okay. Where did that deposition occur?

24    **A. It was done remodely. I was in my office in**  
25    **Exeter, New Hampshire.**

1 Q. Have you ever testified either by deposition  
2 or live in any proceeding under oath other  
3 than that single deposition?

4 **A. No.**

5 Q. You received your bachelor's degree in  
6 mechanical engineering from the University of  
7 New Hampshire in 1991, correct?

8 **A. That is correct.**

9 Q. Do you have any graduate work?

10 **A. I never enrolled in any graduate programs. I**  
11 **did take a couple of graduate level courses in**  
12 **controls engineering after I received my BSME,**  
13 **but I never officially pursued any higher**  
14 **degree.**

15 Q. And your first job out of college was the  
16 research and development manager at Goss  
17 International; is that right?

18 **A. I did not start as a manager, but it was with**  
19 **Goss International and prior names of that**  
20 **same company. The company went through**  
21 **several mergers and there was name changes.**

22 Q. But it was Goss at the end?

23 **A. Yes.**

24 Q. What was it when you started?

25 **A. Heidelberg Harris, Heidelberg Web Press were**

1       **early names.**

2       Q.   And they made printing presses, right?

3       **A.   That is correct.   Printing -- printing presses**  
4       **and related equipment.**

5       Q.   As we're going today is there any reason,  
6       whether medical, emotional or otherwise, that  
7       you could you not give truthful testimony  
8       under oath today?

9       **A.   No.**

10      Q.   Have you ever been convicted of a felony or  
11      misdemeanor?

12      **A.   No.**

13      Q.   Have you ever personally filed bankruptcy?

14      **A.   No.**

15      Q.   Have you ever served in the military?

16      **A.   No.**

17               (Deposition Exhibit No. 4 was marked for  
18      identification.)

19      Q.   Our court reporter has handed you what has  
20      been marked as Deposition Exhibit No. 4.

21               Have you ever seen this before?

22      **A.   I have.**

23      Q.   Tell us what this is, please.

24      **A.   This is an overview of characteristics for a**  
25      **striker fired pistol.   Based loosely on the**

1       **P250 grip modules as cited in the overview.**

2       Q.   So this has a date of March 20 of 2012, so  
3       it's a little bit before you got to Sig Sauer,  
4       correct?

5       **A.   That's correct.**

6       Q.   Is it your understanding that this was kind of  
7       the request or overview of what the design  
8       team was asked to put together?

9       **A.   One of them. I have seen several versions of**  
10       **this that were -- or at least one other**  
11       **version of this that was prior to my joining**  
12       **SIG.**

13      Q.   Have you seen other versions other than the  
14      one you are thinking of that was prior to your  
15      joining SIG?

16      **A.   Not that I recall.**

17      Q.   Okay. The other version, was it of a similar  
18      format as this?

19      **A.   I know that one other version I recall was**  
20      **more of a table format rather than something**  
21      **that appears to be a Word-type document.**

22      Q.   And it has the name T. Butler at the top.  
23           Do you see that?

24      **A.   I do.**

25      Q.   There do you recognize that name?

1 A. I do. His first name was Tim, and he was in  
2 product management at Sig Sauer.

3 Q. What is product management?

4 A. Product management is a group that helps  
5 define what products we should develop as a  
6 company and what feature sets, and they should  
7 have, in some cases, what requirements they  
8 should meet.

9 Q. Was that part of the marketing department?

10 A. Is it independent from marketing, but in some  
11 ways is a similar function.

12 Q. But it is not part of Mr. Thomele's  
13 engineering department, is it?

14 A. Product management does not report to Mr.  
15 Thomele.

16 Q. Or Thomele, I'm sorry.

17 Who does product management report?

18 A. Currently the head of that group would be  
19 Robbie Johnson.

20 Q. What is Mr. Johnson's title?

21 A. I cannot recall that specifically because it  
22 is very lengthy. But he is in charge of  
23 product management, but he also oversees  
24 functions at the SIG Experience Center. He  
25 has a host of responsibilities.



1 Q. And you are not the person for org charts, so  
2 I am not going to, like, go into this in  
3 detail.

4 But is it like a vice-president level,  
5 executive vice-president, director? Do you  
6 remember kind of how it starts even if it's  
7 kind of a long title?

8 **A. He -- he would be up at that level. He**  
9 **reports to our CEO, but I don't -- I can't**  
10 **spit out his title.**

11 Q. Okay. Because you're at the director level,  
12 right?

13 **A. I am at the director level.**

14 Q. And the person that we are speaking of is  
15 higher on the org chart than you are.

16 **A. That is correct.**

17 Q. How many levels higher?

18 **A. I would say two.**

19 Q. Okay. All right. So we talked briefly about  
20 the p250.

21 And that is a discontinued pistol at this  
22 point. True?

23 **A. Virtually. If we produce any, it's very few.**  
24 **It's not something we are marketing.**

25 Q. And the -- that was a double action, single

1 action, hammer fired pistol, correct?

2 **A. No, it was a double action only.**

3 Q. Okay. And as a double action only pistol,  
4 the -- when the pistol was at rest, there was  
5 no energy in the firing mechanism, correct?

6 **A. Essentially, yes. If there was any, it was**  
7 **very little.**

8 Q. Certainly insufficient energy to strike a  
9 primer and fire a projectile under normal use,  
10 correct?

11 **A. Correct.**

12 Q. And so all the energy came from pulling the  
13 trigger, and then all that energy was released  
14 on every shot. True?

15 **A. If the trigger was fully depressed, yes.**

16 Q. The P320 uses the same grip modules as the  
17 P250 did. True?

18 **A. They were compatible when we launched the grip**  
19 **module selection. P320s have expanded since**  
20 **then.**

21 Q. Meaning that there are additional size grip  
22 modules that exist now that didn't exist then?

23 **A. And different ergonomics, yes.**

24 Q. And then we're -- as you might imagine, we're  
25 going to kind of go through those in some

1 detail.

2 But at launch the P320 was based on grip  
3 modules that Sig Sauer already had from its  
4 manufacturer of the 250 line, correct?

5 **A. That is definitely where we started, yes.**

6 Q. But the decision was made to use some of the  
7 P250 parts but then develop a striker fired  
8 pistol around those parts?

9 **A. That was -- was that the initial goal, yes.**

10 Q. And that's what happened, right?

11 **A. Some parts were common.**

12 Q. What was common?

13 **A. Obviously the grip module. Very initially the**  
14 **desire was to use the exact same serialized**  
15 **frame. That did not happen. Although the**  
16 **general shape and profile of the frame or**  
17 **receiver was the same.**

18 As I recall, barrels were common. The  
19 slide catch lever itself I believe was common.  
20 So there were -- there were a few parts that  
21 were common.

22 Q. Anything else?

23 **A. I can't say definitively.**

24 Q. Okay. Now, under the characteristics on our  
25 Exhibit 4 of what the team was being called to

1 develop, it lists a few calibers of 9  
2 millimeter, 40 caliber, 357SIG and 45ACP.

3 Do you see that?

4 **A. I do.**

5 Q. Did the P250 come in those four calibers as  
6 well?

7 **A. I don't recall if it came in all of them, but**  
8 **it definitely came in more than one.**

9 Q. Which ones do you remember it came with --

10 **A. And I think --**

11 Q. Oh, I'm sorry. I didn't mean to interrupt  
12 you.

13 **A. That's okay.**

14 I think -- I think there were P250  
15 variants that we made in all four of those. I  
16 don't recall if we were in active production  
17 with those designs for all of the calibers.

18 Q. A couple terms in there I want to break down.

19 When you say variant, what does that  
20 mean?

21 **A. Different caliber.**

22 Q. Okay. But the rest of the gun is designed and  
23 works the same way?

24 **A. Generally the 45ACP is a bigger round, so**  
25 **there were differences between it and the**

1 other three calibers, and even between 9  
2 millimeter and the 40 and 357SIG. Those were  
3 different magazines, for example. So there  
4 were slight variations between them, but the  
5 general function of the firearm was the same.

6 Q. Uses the same fire control unit?

7 A. There were slight differences in the fire  
8 control unit for the 45ACP.

9 Q. But the fire control unit or FCU was the same  
10 for the 9 millimeter, the 40, and the 357?

11 A. As I recall, yes.

12 Q. And that's carried through to -- or a version  
13 of that is carried through to the P320 because  
14 all the P320s have the same fire control unit  
15 for the 9 millimeter, 357 and 40, correct?

16 A. The fire control unit was the same for those  
17 three calibers.

18 Q. And then it's a slightly different fire  
19 control unit for the 45ACP?

20 A. That is correct.

21 Q. Works the same way. It just has a little bit  
22 heavier parts in a couple of spots?

23 A. Not necessarily heavier but generally  
24 functions in the same manner, and most of the  
25 differences are tied to the different magazine

1       **size.**

2       Q.   And that's just a function of a 45-caliber  
3       round has a large diameter than a 9 millimeter  
4       round, right?

5       **A.   Correct.**

6       Q.   So you have to have a slightly different  
7       shaped passageway to load the round into the  
8       chamber.

9       **A.   The physical dimensions of the magazine are**  
10      **different.**

11      Q.   But the way the trigger bar actuates the sear  
12      that actuates the striker, all of that is the  
13      same.

14      **A.   Correct.**

15      Q.   And that is true for all four of those  
16      calibers.   True?

17      **A.   Correct.**

18      Q.   P320?

19      **A.   Yes.**

20      Q.   And it was also true for the P250.

21      **A.   Yes.**

22      Q.   Now, in our characteristics it says the 380  
23      auto and the 22 long rifle or 22 lr, which  
24      stands for long rifle, correct?

25      **A.   Correct.**

1 Q. That those were preferred.

2 Were those ever developed for the P320?

3 **A. There was never a full complete firearm**  
4 **developed or put into production for the P320**  
5 **in those calibers.**

6 There was some development work for a 22  
7 long rifle Cal-x kit, meaning slide assembly,  
8 that could be an option; although I don't  
9 recall if it ever went to production.

10 Q. Okay. And Cal-x kit, one of the things with  
11 the Sig Sauer P320 is that you can change the  
12 caliber of your pistol by changing a limited  
13 number of parts. True?

14 **A. Correct.**

15 Q. And is that what you are referring to with  
16 Cal-x?

17 **A. So the Cal-x kit would be the parts required**  
18 **to -- to convert over to a different caliber.**

19 Q. And for our court reporter's sanity, how does  
20 one spell Cal-x?

21 **A. I believe it was C-a-l, hyphen, x or C-a-l-x.**  
22 **Something along those lines.**

23 Q. Do you know why development of a 380 auto or  
24 22 long rifle version of the P320 was never  
25 completed?

1     **A. I don't know specific reasons.**

2     Q. Do you know any reasons?

3     **A. Working with our product management**  
4     **department, it was not prioritized as**  
5     **something that we were going to develop. I**  
6     **don't know the reasons behind that.**

7     Q. Okay. But that was a decision that came from  
8     product development.

9             What -- I guess what I'm getting at, just  
10     to be very transparent here, there wasn't some  
11     engineering problem that couldn't be overcome  
12     with those calibers, or was there?

13    **A. Not that I am aware of.**

14    Q. And you would -- you would know the answer  
15     because you were the team lead at that time,  
16     right?

17    **A. I believe so.**

18    Q. All right. We have sizes of full size,  
19     compact and subcompact.

20             Do you see that?

21    **A. I do.**

22    Q. And then after each of those sizes it says  
23     large, medium and small or for subcompact  
24     medium, medium railed and small.

25             Do you see that?



1     **A.    I do.**

2     Q.    By my math, there is nine different iterations  
3           if we do all the combinations on that.

4                Can you tell us what all that is  
5           describing in that sizes session?

6     **A.    So the full size, compact and subcompact would**  
7           **have to do with barrel and slide length, and**  
8           **also magazine capacity and grip level height.**

9                The large, medium, small refer to the  
10          general size of the grip module as it  
11          interfaces with the user, such things as  
12          circumference of the grip, how it fits in the  
13          hand.

14               And the medium railed would be a medium  
15          sized grip in terms of the hand fit with a  
16          rail for mounting things on the cover of a  
17          gun.

18    Q.    And those different sizes, those don't have  
19           any impact on the functionality of the fire  
20          control unit or the sear striker, do they?

21    **A.    They do not. They would all be**  
22           **interchangeable with the same fire control**  
23           **units.**

24    Q.    And so the sizes changes what it looks like  
25          from the outside, but the inside and how it

1 works is the same regardless of what size it  
2 is.

3 **A. Yes. In terms of full size, compact,**  
4 **subcompact, obviously there is some different**  
5 **components because of the length differences,**  
6 **and things like recoil springs were designed**  
7 **differently because of the length differences,**  
8 **but the function of the gun was similar.**

9 Q. But it had all of the same design  
10 characteristics and safety characteristics  
11 regardless of the size. Is that true?

12 **A. Yes.**

13 Q. Just so that we kind of have an understanding  
14 of what these things are, I am going to hand  
15 you --

16 MR. WERTS: Can I have three stickers,  
17 please.

18 (Off-the-record colloquy.)

19 (Deposition Exhibit No. 5 was marked for  
20 identification.)

21 (Deposition Exhibit No. 6 was marked for  
22 identification.)

23 (Deposition Exhibit No. 7 was marked for  
24 identification.)

25 Q. All right. I am going to hand you what I've

1 marked as Deposition Exhibits 5, 6 and 7. And  
2 since bringing live firearms is kind of  
3 complicated, I'm going to use these for the  
4 show and tell portion of our show.

5 Can you tell me what those are?

6 **A. These are P320 grip modules.**

7 Q. Are they different sizes?

8 **A. One appears to be a full size; one appears to**  
9 **be a compact; one appears to be a carry based**  
10 **upon these product descriptions.**

11 Q. Now, are -- Exhibit 4 describes it as full  
12 size, compact and subcompact, and you used  
13 kind of a different term there with full,  
14 carry and compact.

15 Does that line up in any way?

16 **A. So the shape and styling of grips has changed**  
17 **through the years. This was a product to**  
18 **requirement type document from 2012. There**  
19 **was no vision for a carry version noted on**  
20 **this 2012 document. But yes, that's -- they**  
21 **are similar in terms of talking about**  
22 **different grip sizes, both -- both in length**  
23 **and height.**

24 And these appear to all be small grip  
25 modules, so the ergonomics of how the grip

1 fits into the hand would be similar between  
2 these three.

3 Q. Okay. Let's -- let's start with Exhibit 5.

4 And you can tell the difference between  
5 these grip modules without them being in a  
6 labeled box, correct?

7 A. I should be able to.

8 Q. We'll try to keep it straight, but just in  
9 case that doesn't happen. All right.

10 So I am going to hand you the full size  
11 model. All right, and so you described  
12 several characteristics with a grip frame for  
13 us, and so what I would like you to do is just  
14 kind of point out a couple of the things that  
15 you talked about.

16 One of the things that you talked about  
17 was grip circumference.

18 What are referring to in that?

19 A. The area around the -- the section of the grip  
20 that the user would have in their hand, in  
21 their dominant shooting hand.

22 Q. And the P320 comes in a variety of different  
23 ergonomic sized grip circumferences, correct?

24 A. It does. So there's a marking on the back  
25 here. It's an S.

1 Q. Okay.

2 A. Which refers to the small size. So this is  
3 the -- this would be a smaller circumference  
4 around. The medium would be slightly bigger,  
5 and a large would be bigger yet.

6 Q. All right. And the -- regardless of which  
7 size grip circumference, it still gets the  
8 same striker, the same fire control unit.

9 A. Correct.

10 Q. Okay. And those fire control units are  
11 interchangeable?

12 A. The -- a fire control unit could go into any  
13 one of these grips, modules.

14 Q. And it would be the exact same -- like you  
15 said, if we had three different fire control  
16 units, we could swap them right on back and  
17 forth, and it would function correctly. Is  
18 that true?

19 A. Yes.

20 Q. You also said something about frame length or  
21 slide length.

22 Do you recall that?

23 A. I do.

24 Q. Can you point out on our exemplar what you are  
25 referring to with that?

1     **A. So it's really the length of this section of**  
2     **the grip module. Different -- a compact slide**  
3     **and barrel would be shorter than a full size**  
4     **slide and barrel, for example. So the length**  
5     **of this, what we call the dust cover area,**  
6     **could be longer or shorter in a grip module.**

7     **Q. Okay. And so just kind of comparing and**  
8     **contrasting, I am going to hand you the**  
9     **Exhibit 6 version.**

10             Can you tell me -- and so can you kind of  
11     hold that up and show that to the camera so  
12     that you can see the difference?

13     **A. So if we roughly align the grips, the**  
14     **take-down lever on the module, you can see**  
15     **that the dust cover area on this top grip is**  
16     **shorter than the bottom grip.**

17     **Q. Okay. And because you kind of made a point of**  
18     **indicating that the difference was at the**  
19     **front of the gun or front portion of the gun,**  
20     **but everything internally is the same on the**  
21     **back half of the gun, correct?**

22     **A. Well, certain grips can be shorter or taller**  
23     **in this -- in this section, as well, where**  
24     **magazines could be taller or shorter to**  
25     **accompany that.**

1 Q. And I was referring to internally in my  
2 question. That was a bad question.

3 A. So in the fire control unit area, yes, they  
4 should be interchangeable.

5 Q. Okay. And that is going to be the same for  
6 all the different sizes, correct?

7 A. That is the same for all the different sizes.  
8 One exception in grips would be manual safety  
9 versions would have a notch that is clearance  
10 for the manual safety shaft to come through  
11 for access to the thumb levers.

12 Q. And these grip modules that I purchased you  
13 could not add a manual safety to. Is that  
14 true?

15 A. Not without modification, simply because there  
16 is no slot for the manual safety to come  
17 through. You can actually see a witness mark  
18 that's a little bit of a darker u-shaped area  
19 in this grip where the notch for a manual  
20 safety would be.

21 Q. But that would have to be cut out by someone  
22 qualified to be making adjustments and cuts to  
23 a --

24 A. Or a user could buy a manual safety version of  
25 a grip.

1 Q. Okay.

2 **A. Which is molded with the cutout in it.**

3 Q. And that would be the better way to do it,  
4 right? So it came from the factory --

5 **A. Certainly it's easier, yes.**

6 Q. Now I've also -- and we're going to look at  
7 some material that shows us briefly of a  
8 P320X.

9 Are you familiar with that designation?

10 **A. So we have a P320 XFive; we have a P320X**  
11 **carry, so there are multiple X versions, yes.**

12 Q. And so are the fire control units between a  
13 regular P320 and P320X interchangeable as  
14 well?

15 **A. Yes.**

16 Q. And just like we looked at -- I am going to  
17 use one of these and kind of demonstrate. You  
18 said that everything internal from here back  
19 is the same as that P320. It is also the same  
20 from here back on a -- one of the P320X  
21 models. True?

22 **A. For the fire control unit portion, yes.**

23 Q. Okay. And the difference in the X model is it  
24 has a different shaped handle. True?

25 **A. Correct.**



1 Q. This thing is called beaver tail, right?

2 A. That's correct.

3 Q. An X has a different beaver tail, right?

4 A. That is part of the ergonomic difference of X  
5 grips.

6 Q. It's got a little bit of cutout here for the  
7 finger holds, right?

8 A. There are -- yes, there are ergonomic  
9 differences that change the appearance as  
10 well.

11 Q. Okay. None of those ergonomic have any impact  
12 on how the gun mechanically works though, do  
13 they?

14 A. That's correct.

15 Q. None of those ergonomic differences have any  
16 impact on the safety features present or not  
17 present in the gun. True?

18 A. Correct.

19 Q. I am going to hand you Exhibit 7, which is the  
20 compact version, correct?

21 A. Yes.

22 Q. And that is again just a shorter front end on  
23 the gun, right? And a shorter handle?

24 A. And a shorter handle, so if we put them this  
25 way you can see --

1 MR. WILLIAMS: Hold that up, please.

2 **A. Roughly align them, you can see that the rear**  
3 **one has a longer mag well and would accept a**  
4 **taller magazine.**

5 BY MR. WERTS:

6 Q. Okay.

7 **A. Whereas the compact is shorter, and the**  
8 **compact also exhibits the shorter dust cover**  
9 **that we talked about before.**

10 Q. And the different magazines, the only impact  
11 that has on the user experience is that it  
12 holds less rounds, correct?

13 **A. Or more rounds.**

14 Q. I guess that is true, or more.

15 And so depending on what magazine you  
16 hire or -- or you purchased, it may have more  
17 or less rounds?

18 **A. Correct.**

19 Q. The number of rounds in a magazine has zero  
20 impact on how the gun mechanically works  
21 though, correct?

22 **A. Not in terms of basic function.**

23 Q. The only difference is how many times you can  
24 pull the trigger before it locks open.

25 **A. Correct.**

1 Q. And maybe how heavy it is in your hand.

2 A. And how heavy it is in your hand.

3 Performance -- so the different magazines  
4 obviously have differences other than just the  
5 length of the magazine and how many rounds it  
6 holds because the room for spring and the  
7 spring lengths, for the magazine spring and  
8 such, also change.

9 But, yes, in terms of basic function they  
10 all do the same thing as they interface with  
11 the fire control unit.

12 Q. And the differences in the magazine you just  
13 identified, those are just technical  
14 differences of what is necessary for -- like,  
15 the spring that's needed to push 17 rounds  
16 through is different than the spring that's  
17 needed for it to push ten rounds through.

18 A. That's a good summary.

19 Q. Okay. But that doesn't have anything to do  
20 with how the gun works or mechanically works  
21 as a firing unit.

22 A. The interface between the magazine and the  
23 fire control unit is the same.

24 Q. Okay. All right. Let's put our toys away.

25 All right. Let's look back at Exhibit 4,

1 if we may.

2 So on the weight characteristic it says  
3 that it's not to exceed the P250 by more than  
4 three percent without marketing approval.

5 Do you see that?

6 **A. I do see that.**

7 Q. Why does marketing get a vote on engineering  
8 decisions like weight?

9 **A. I would not view weight of a project as solely**  
10 **an engineering decision. Product management**  
11 **may have reasons for intended customer base**  
12 **that have some weight characteristics or**  
13 **limitations; for example, if it's a product**  
14 **intended to be used in a competitive match**  
15 **that has weight limits, for one example. If**  
16 **the weight of a product is important to**  
17 **potential customers for some other reason,**  
18 **they would weigh in on those desires.**

19 Q. And like the P320 was successfully done later,  
20 Sig Sauer tried to market the P250 to certain  
21 U.S. government agencies, did it not?

22 **A. I am not aware of specific U.S. government**  
23 **agencies where we may or may not have pushed**  
24 **P320 sales.**

25 MR. JOYCE: I think he -- I think he said

1 250, not the P320.

2 **THE WITNESS: I'm sorry. I misspoke.**

3 **A. I am not aware --**

4 MR. JOYCE: Did I get that wrong? I  
5 think you asked --

6 MR. WERTS: Yeah, thank you.

7 **A. And I misspoke in my response. I am not aware**  
8 **of Sig Sauer pushing any P250 toward specific**  
9 **opportunities as you suggested.**

10 BY MR. WERTS:

11 Q. Okay.

12 **A. I am not aware of those details.**

13 Q. Okay. So you don't know whether or not the  
14 P250 was ever actually contracted with the  
15 federal air marshal service but that contract  
16 was later cancelled?

17 **A. I do not know those specifics.**

18 Q. Do you know any of the generalities of that?

19 **A. I do not.**

20 Q. Did you know that the P250 was considered by  
21 the ATF but eliminated for competition for  
22 unreliability?

23 MR. JOYCE: Objection. Beyond the scope.

24 Are you asking him as an individual?

25 MR. WERTS: I'm -- actually, no. I am

1 asking him both because the P250 is the basis  
2 of the design for the P320.

3 BY MR. WERTS:

4 Q. Go ahead.

5 **A. I don't recall that knowledge.**

6 Q. Never heard that?

7 **A. I don't recall hearing that.**

8 Q. Can you turn to page two of our design  
9 specification, please, Exhibit 4?

10 **A. (Witness complying).**

11 Q. At the top it provides four different trigger  
12 weights.

13 Do you see that?

14 **A. I do see that.**

15 Q. And there is a range for three of them and  
16 then just a flat number for the fourth.

17 In a specification like this where there  
18 is a primary and then three other priorities,  
19 what does that mean, like, from an engineering  
20 team's perspective?

21 **A. I wasn't at Sig when this was produced.**

22 **However, from my perspective, I would view**  
23 **primary priority two, priority three, priority**  
24 **four as either in order of design development**  
25 **or order of desire from product management to**

1       **have.**

2       Q.   Okay.   And at the time the P320 was developed  
3            had Sig Sauer ever released a pistol with a  
4            5.5 pound trigger pull or less?

5       **A.   Yes.**

6       Q.   And what was that?

7       **A.   The classic line series in a single action**  
8            **mode were, as I recall, in the range of 4.4,**  
9            **4.5 pounds.**

10      Q.   And so that was -- let's break that down  
11            because we talked about definitions earlier.

12           In single action mode, a pistol would  
13            either be a single action only or a double  
14            action/single action to get to single action  
15            mode.   Is that true?

16      **A.   Yes, a design could be single action only or**  
17            **DA/SA.**

18      Q.   And we established that all single action only  
19            pistols manufactured by Sig Sauer have a  
20            manual safety.   True?

21      **A.   All single action only pistols manufactured by**  
22            **Sig, to my knowledge, have manual safeties.**

23      Q.   And for double action/single action pistols,  
24            the single action phase is only after a  
25            heavier double action phase; is that correct?

1     **A. That is not correct. That is the user's**  
2     **choice whether to put the firearm or pistol in**  
3     **the single action mode or leave it in decocked**  
4     **double action mode.**

5     Q. And if the user wants to put it in single  
6     action mode, the user has to manually and  
7     intentionally take a step to do that, correct?

8     **A. That is correct, if the starting point of the**  
9     **pistol is with it in double action mode. If**  
10    **the pistol had been fired previously, it would**  
11    **be in single action mode after the last shot.**

12    Q. But if it had not previously been fired and  
13    was uncocked entirely -- meaning there's no  
14    energy in the pistol, right?

15    **A. I am sorry. What was the question?**

16    Q. An intermediate question. If you have an  
17    uncocked pistol that has not been previously  
18    fired, there is no energy in that pistol.  
19    True?

20    **A. Correct.**

21    Q. In that instance, the trigger can only be  
22    pulled in double action mode or the user has  
23    to manually move the hammer into single action  
24    mode and then depress the trigger; is that  
25    true?



1     **A. That is correct, if the pistol starts in a**  
2     **double action uncocked mode.**

3     Q. Right. And that was the premise to my line of  
4     questioning.

5             And so in the light trigger pull scenario  
6     that you described, a user either has to take  
7     the manual safety -- and it has to be in a  
8     fire position, if it's a single action only  
9     pistol. True?

10    **A. I am sorry. Could you repeat that?**

11    Q. It was a terrible question, so I apologize.

12             Let's go with the single action only  
13    pistol first. If the pistol is -- they all  
14    have manual safety, and the manual safety is  
15    in the safe position. Then the user has to  
16    first push the manual safety from safe to fire  
17    as one action, and then take the second action  
18    of pulling the trigger in order to launch the  
19    projectile.

20             Have I described that correctly?

21    **A. That is correct, for a single action only with**  
22    **a manual safety.**

23    Q. Now, if it's a double action/single action  
24    pistol that is in a fully decocked state, the  
25    user has a choice at this point, correct? He

1 can either pull the trigger in double action  
2 mode, which has a higher trigger pull weight.  
3 True?

4 **A. It has a higher trigger pull weight compared**  
5 **to the single action trigger pull weight.**

6 Q. And that would be higher for -- than 5.5  
7 pounds for every pistol Sig Sauer makes that's  
8 a double action/single action. True?

9 **A. Yes.**

10 Q. In fact, it would be closer to 8.5, 9.5 pound  
11 range at least. True?

12 **A. Yes. Could be higher than that.**

13 Q. Okay. Some of them would be in that 11 to  
14 12.5 pound range, correct?

15 **A. We have produced DA/SAs with the double action**  
16 **trigger pull weight in that range.**

17 Q. Or if our user who starts with an uncocked  
18 pistol wants to fire the trigger, he or she  
19 must first cock the pistol with one movement  
20 of his or her hand, correct?

21 **A. Correct, the user would have to do that, but**  
22 **it could be done at any time prior to**  
23 **depressing the trigger.**

24 **There is no reason the pistol couldn't be**  
25 **in the single action mode, but, yes, that step**

1 has to be taken to manually cock the hammer if  
2 it starts in an uncocked state, but it could  
3 be done at any time.

4 Q. But it has to be done before the trigger is  
5 pulled to pull it in a single action with a  
6 light trigger pull. True?

7 **A. Correct.**

8 Q. Whereas the P320, anytime a chamber -- a round  
9 is chambered, there is sufficient energy in  
10 the pistol for the striker to ignite a primer.  
11 True?

12 **A. When a round is chambered in a P320 and the**  
13 **striker is cocked, it's partially cocked but**  
14 **close -- you know, mostly cocked, so the act**  
15 **of depressing the trigger does cock the**  
16 **striker a little bit further, and then it's**  
17 **released.**

18 Q. And that little bit, the striker is -- let's  
19 break that down a little bit.

20 You said that the -- in a P320 from the  
21 cocked position to the fire position, how far  
22 does the striker have to travel?

23 **A. I don't know the distance.**

24 Q. What would you need to look at to know the  
25 distance?

1     **A. The CAD assemblies to -- CAD, Computer Aided**  
2     **Design, assemblies of the components to assess**  
3     **that.**

4     Q. Okay. And that distance would be the same for  
5     every P320 regardless of the size, whether  
6     it's an X or any other adjective, right?

7     **A. There would be a tolerance associated with**  
8     **that number based upon the tolerances of the**  
9     **parts, and so to know the bounds of that**  
10    **variation in that distance we would have to do**  
11    **a tolerance analysis study to determine that.**

12             But, yes, in a nominal sense it would be  
13    the same gun to gun.

14    Q. They're all designed to be the same, right?

15    **A. Correct.**

16    Q. And you said that when a P320 trigger is  
17    pulled the striker actually moves backward  
18    slightly to move it off the sear, correct?

19    **A. The rotation of the sear due to its interface**  
20    **with the striker causes the striker to be**  
21    **cocked a little bit further.**

22    Q. Okay. And so as the sear is rotating, that  
23    happens to push the striker back a little bit  
24    more, right?

25    **A. That's correct.**

1 Q. And of its entire travel, if we -- we think --  
2 what I'm envisioning is a distance line from  
3 the furthest the striker ever goes back to the  
4 furthest forward it is when it's in a fired  
5 state, okay? That is our distance.

6 You have a degree in engineering, right?

7 **A. I do.**

8 Q. So you've taken a bunch of math classes.

9 **A. I have.**

10 Q. Okay, good. So -- me too. I want to talk  
11 about the -- that distance at the back that it  
12 moves forward.

13 What is the coefficient of the entire  
14 distance length that goes forward. Does it  
15 move back .01, .05?

16 **A. When you say coefficient, do you really mean**  
17 **percentage?**

18 Q. Yes.

19 **A. It's a small percentage. I think the -- it's**  
20 **on the order of 97 percent cocked at rest.**

21 Q. Okay. And so if it's 97 percent cocked at  
22 rest, meaning the P320, anytime a round is  
23 chambered is 97 percent cocked, is there  
24 sufficient energy in a 97 percent cocked P320  
25 striker to propel it forward to ignite a

1 primer?

2 **A. I don't know in terms of firing reliability,**  
3 **but certainly in some cases it could detonate**  
4 **a round.**

5 Q. In most cases, right?

6 **A. I wouldn't say that.**

7 Q. In almost all cases, right?

8 **A. I don't know that.**

9 Q. Have you ever studied it?

10 **A. I have not studied -- I have not studied**  
11 **exactly what percentage that would be from a**  
12 **at-rest position because that is not how a**  
13 **P320 functions. We would ensure that we fire**  
14 **reliably at the point where a striker is**  
15 **released.**

16 Q. Now, sometimes through -- whether through  
17 mishandling or otherwise -- let me back up a  
18 step.

19 There is a part to the striker that  
20 interfaces with the sear, correct?

21 **A. Correct.**

22 Q. What is it called?

23 **A. Striker hook would be one term.**

24 Q. Okay. I have never found a good -- like, for  
25 the thing that touches the sear, and that's

1 not a very good description.

2 And so sometimes the striker hook,  
3 whether through mishandling or otherwise, can  
4 come off the sear. True?

5 MR. JOYCE: Objection to form.

6 **A. The -- the striker hook could disengage from**  
7 **the sear. However, it could not disengage**  
8 **from the sear without moving rearward.**

9 BY MR. WERTS:

10 Q. Okay. But there is at least some risk of that  
11 happening under certain circumstances,  
12 correct?

13 MR. JOYCE: Objection, form.

14 **A. In an abusive situation like a drop scenario**  
15 **from a very high height, all kinds of things**  
16 **could move; and, yes, the sear could move**  
17 **rearward from its rest position.**

18 BY MR. WERTS:

19 Q. As part of the voluntary upgrade program the  
20 sear was redesigned to add a second shot, was  
21 it not?

22 **A. That was a design change that was incorporated**  
23 **in the voluntary upgrade, yes.**

24 Q. What is the purpose of that design change?

25 **A. The purpose of that is to -- in the unlikely**

1 event that the sear does separate from the  
2 striker, that the sear could catch the striker  
3 in that secondary notch. It is similar in  
4 concept to a hammer fired pistol where the  
5 hammer has the safety heaters that launch.

6 Q. But it's at least sufficient enough of a risk  
7 of the striker hook coming off the sear  
8 unintended that the sear has been redesigned  
9 to catch it when it does happen.

10 MR. JOYCE: Objection to form.

11 You can answer.

12 A. The sear was redesigned to incorporate that  
13 feature to make every effort that we could do  
14 to stop the striker in the event that it was  
15 unintentionally disengaged from the sear.

16 BY MR. WERTS:

17 Q. But there is a design feature in the sear to  
18 catch it if it -- if the striker comes off the  
19 sear.

20 A. As you mentioned earlier, yes, we incorporated  
21 a second notch in the sear to catch it in that  
22 event.

23 Q. And that has been the same for every P320  
24 manufactured since the voluntary upgrade  
25 program, correct?



1     **A. To my knowledge, yes.**

2     Q. And if somebody's a pre-upgrade P320 owner,  
3       sent their pistol in to participate in the  
4       voluntary upgrade program, that was one of the  
5       parts that was changed, was it not?

6     **A. That is correct.**

7     Q. Okay. If we'll look back at our Exhibit 4 for  
8       me, please.

9               Trigger style, we again have three  
10       options.

11              Do you see that?

12     **A. I do see that.**

13     Q. There is the standard P250 style trigger, was  
14       option one, correct?

15     **A. That is what it says here, yes.**

16     Q. And that's the option that ultimately went  
17       into production. True?

18     **A. Correct.**

19     Q. The other options were a center blade style  
20       trigger safety, with option three being a shoe  
21       style trigger safety.

22              Do you see that?

23     **A. I do see that.**

24     Q. Describe for us what the differences are  
25       between those two different types of safety.

1     A.   I wasn't again at SIG when this was written  
2         and don't recall reviewing it.  So I can't say  
3         specifically, but a center blade style trigger  
4         safety would be similar to a Glock design or  
5         the center blade tabbed trigger design that  
6         was shown at the shop show in 2014.

7                 It gets a little fuzzier with the shoe  
8         style trigger safety in what specifically that  
9         means.  It could be a shroud, if you will,  
10        that goes around a trigger component, and the  
11        user would engage their finger solely with  
12        that shroud and then the motion of that shroud  
13        would then cause an interaction with another  
14        trigger component similar to the way the  
15        center blade tab trigger sort of works, or it  
16        could have as -- as in some competitor models  
17        have, a different section of the trigger  
18        mechanism that rotates on a different pivot  
19        point than the primary trigger pivot point.

20    Q.   And so the second style you described, like an  
21         articulating trigger, is that sometimes  
22         referred to as?

23    A.   Sure, that is a good terminology to describe  
24         where a portion of the trigger articulates  
25         relative to the rest.

1 Q. And that's what Smith & Wesson put on their  
2 M&P model for a period of time?

3 **A. As an example.**

4 Q. Walther uses something similar on theirs?

5 **A. There's many incarnations of that.**

6 Q. Who uses the shroud that you were describing  
7 as the -- the other one?

8 **A. I am not aware of a particular pistol model or**  
9 **manufacturer that incorporates that.**

10 I recall a long time ago seeing some  
11 incarnation, but I don't know if it was on a  
12 competitor product or it was some prototype.

13 Q. And then further down it says manual safety is  
14 optional during the design specification.

15 And that's still the way Sig Sauer makes  
16 the P320, correct?

17 **A. Correct. There are -- there are definitely**  
18 **manual safety versions of many of the products**  
19 **but it's not on all.**

20 Q. And the manual safety is available on the full  
21 size versions of the grip modules, correct?

22 **A. I don't recall exactly which models it's on,**  
23 **but it's on several, including the M17, M18,**  
24 **where those would be essentially a full size**  
25 **or a compact.**

1 Q. And -- but the carry model is not capable of  
2 getting a manual safety, is it?

3 A. I don't know that I would say it's not capable  
4 of getting a manual safety. I don't know that  
5 we presently offer it with a manual safety,  
6 but I don't know that -- I would say it's not  
7 something we couldn't produce.

8 Q. But Sig Sauer has never sold the carry model  
9 with the manual safety, has it?

10 A. I don't know the answer to that question.

11 Q. If Sean Toner testified that the carry model  
12 has not been offered with an manual safety,  
13 would you have reason to doubt that?

14 A. No.

15 Q. What about on the subcompact frame size, has  
16 that ever been offered with a manual safety?

17 A. I don't recall specifically.

18 Q. So the manual safety is optional on some P320s  
19 but not all.

20 Is that a fair statement?

21 A. As we've produced models, correct.

22 Q. If you want to get some sort of custom work  
23 done, either through SIG or a private armorer,  
24 maybe you can do something like that, but I am  
25 talking about what comes off the production

1 line.

2 A. For models that we have produced currently,  
3 yes. If we had direct customer interest in  
4 another size with a manual safety, that would  
5 not be a difficult task.

6 Q. So it's not hard to do; you just haven't done  
7 it.

8 A. I would -- I mean, definitely is relative, but  
9 it's -- it's not something that would require  
10 a large engineering effort.

11 Q. Magazine safety, what is that?

12 A. Magazine safety is generally referred to a  
13 mechanism by which a pistol cannot be fired  
14 unless the magazine is present in the magazine  
15 well and in -- inserted at least the majority  
16 of the way to being ideally latched, but at  
17 least when latched it would allow the firearm  
18 to fire, but if the magazine is removed it  
19 would prevent firing the weapon.

20 Q. And whether a pistol has a magazine release or  
21 does not have a magazine release, the fire  
22 control unit and the striker are still  
23 interchangeable from one gun to another,  
24 correct?

25 A. So in this question you jumped to magazine

1        **release instead of magazine safety.**

2        Q.    Oh, I am sorry.    I wanted to stay with safety.  
3                So let's stick with safety.    I misspoke.  
4                Thank you.

5        **A.    So whether or not a manual safety device was**  
6                **present on the P320 -- let me back up.**

7                We didn't offer a magazine safety or it's  
8                sometimes referred to as a magazine disconnect  
9                on the P320 for production until we offered a  
10               California compliant variance.    So there have  
11               been many P320 models produced that did not  
12               have magazine safeties or were not directly  
13               ready to accept them.    A fire control unit  
14               with a magazine safety would still fit into  
15               the same grips.

16        Q.    And would a fire control unit without a  
17                magazine safety fit into the grips of a gun  
18                that used to have the California compliant  
19                magazine safety?

20        **A.    Could you repeat that question, please?**

21        Q.    I'll try.

22                So we've got -- I've got two pistols.  
23                I've got my California compliant with a  
24                magazine safety, and I've got one of the every  
25                other P320 that sold.

1 Can I swap the fire control units between  
2 those two pistols?

3 **A. If we're talking about P320s, yes.**

4 Q. What is the -- there is an exception based on  
5 your tone there that I am not picking up on.

6 **A. Magazine safety or disconnect designs for**  
7 **other models are different than the way it**  
8 **functions in a P320.**

9 Q. Okay. Now I understand. And so, yes, if the  
10 two guns in my hand are both P320s, one's a  
11 California compliant P320, one's every other  
12 or any other P320 that is out there, I could  
13 swap the fire control unit and strikers in  
14 those two pistols and they would -- they'd all  
15 work all the same, right?

16 **A. Yes.**

17 Q. Because the magazine safety doesn't have any  
18 impact on how the rest of the fire control  
19 unit, the striker assembly and all that  
20 mechanism that we've already talked about  
21 works, other than it prevents the fire control  
22 unit from working in the absence of a  
23 magazine.

24 **A. Yes. In a P320, the magazine safety is a**  
25 **component that blocks trigger bar motion.**

1 Q. A little bit further down it talks about a  
2 loaded chamber indicator.

3 Do you see that?

4 **A. I do see that.**

5 Q. Tell us what that is, please.

6 **A. A loaded chamber indicator is a mechanism by**  
7 **which the user can determine whether there is**  
8 **a case in the chamber.**

9 Q. You just used a different word that confused  
10 me a little bit.

11 What's the difference between a round and  
12 case being in a chamber?

13 **A. So typically when we refer to a round, we**  
14 **refer to an unfired cartridge.**

15 A case would be the brass component of a  
16 cartridge that is extracted and injected  
17 typically when a round is fired. If for some  
18 reason that case was not extracted and  
19 injected but still in a chamber, a loaded  
20 chamber indicator would indicate that there's  
21 a case in the chamber.

22 Q. Okay. That's where I got confused.

23 Because the case is supposed to be  
24 ejected, right?

25 **A. Correct.**



1 Q. But things happen and it doesn't always,  
2 right?

3 **A. There is that possibility. The loaded chamber**  
4 **indicator designs I am aware of would not be**  
5 **able to ascertain whether it was an unfired**  
6 **cartridge or an empty spent case.**

7 Q. Okay. And then on the magazine, the  
8 specifications called for the P320 to be  
9 designed to use the magazines that Sig Sauer  
10 already had for its P250. Is that true?

11 **A. That was the desire.**

12 Q. Did that work out?

13 **A. Essentially, as I recall, there were some**  
14 **changes to magazines made to improve**  
15 **performance and reliability.**

16 Q. But you could use a P250 magazine and it would  
17 be operable in a P320.

18 **A. A P250 magazine, assuming it was for the**  
19 **correct grip, would have been able to be**  
20 **inserted and used with a P320, although there**  
21 **may have not have been the reliability at the**  
22 **same level that we would like, but basic**  
23 **function would have been the same.**

24 Q. And the only exception is if it just was low  
25 enough or not, right?

1     **A. Right. Obviously the -- as we've talked**  
2     **about, the grip modules are designed for**  
3     **certain sized magazines. A short magazine is**  
4     **not going to function in a grip where it's too**  
5     **short to actually present the rounds for**  
6     **feeding the chamber.**

7     Q. But a magazine for a long will fit into a  
8     compact pistol.

9     **A. Yes. A longer magazine will fit into a**  
10    **shorter grip module.**

11    Q. It just kind of sticks out of the bottom,  
12    right?

13    **A. It sticks out of the bottom.**

14    Q. Can you turn the page for me?

15    **A. (Witness complying).**

16    Q. So under function it talks about reliability  
17    and durability and gives a couple of  
18    statistics.

19           Under reliability it is 2,000 MRBS.

20           Do you see that?

21    **A. I do see that.**

22    Q. What does that tell us?

23    **A. So what that's intending is 2,000 mean rounds**  
24    **between stoppages, so effectively one stoppage**  
25    **or malfunction in 2,000 rounds.**

1 Q. And then a service life of 20,000 rounds.

2 What does that tell us?

3 A. Generally service life is tending to be the  
4 life at which you could expect components to  
5 continue operating, and it would mean that the  
6 components that meet a service life of 20,000  
7 rounds should not fail before 20,000 rounds.

8 Q. Was that -- those the reliability and  
9 durability metrics that were met with the P320  
10 design?

11 A. Reading through this line further it's  
12 establishing -- using established service and  
13 cleaning intervals, but it's relevant to the  
14 slide, barrel frame and grip module. And,  
15 yes, we achieve the 20,000 round service life  
16 of those primary components.

17 Q. Did you beat it or was it just exactly 20,000?

18 A. We -- we have certainly tested those  
19 components to higher round counts than 20,000  
20 rounds.

21 Q. Okay. How high have you tested?

22 A. In terms of an upper limit in all of the  
23 testing that have been done on the P320  
24 products, I don't know the upper limit.

25 Q. What's the highest one that you are aware of?

1     **A. I know as part of the MHS program we took**  
2     **frames over 35,000 rounds, but I don't know**  
3     **upper limits. That would have also taken**  
4     **slides and barrels.**

5     Q. The -- has SIG ever undertaken any study to  
6     translate however many thousands of rounds  
7     that is of an expected -- or I guess life  
8     expectancy for the pistol for the consumer  
9     market in years?

10    **A. Could you repeat or rephrase your question?**

11    Q. I will try. That was one of those bad ones.

12           Ultimately what I'm trying to get to is  
13    how many years does a P320 last. That --  
14    that's what I'm trying to get at, but I'm  
15    trying to ask it, what has SIG done to test or  
16    determine what that might be?

17    **A. We don't typically test to try to ascertain**  
18    **life in terms of years. We evaluate product**  
19    **and component durability by testing often,**  
20    **starting with an ammo compatibility and an**  
21    **array of ammo and then continuing into**  
22    **endurance shooting with one or two select**  
23    **ammunition types and shooting a lot of rounds.**

24    Q. Okay. But SIG has never undertaken to  
25    determine what a 20,000 round life span would

1 translate for how long between consumer  
2 replacing their P320 would be?

3 MR. JOYCE: Objection to form.

4 You can answer.

5 **A. The relationship between 20,000 rounds and**  
6 **years is dependent on how much the firearm is**  
7 **shot, and I can't think of a way I would**  
8 **determine that in any meaningful way.**

9 BY MR. WERTS:

10 Q. Okay. Under accuracy it says FAMS standards.

11 Do you see that?

12 **A. I do see that.**

13 Q. What is that, please?

14 **A. FAMS was the federal air marshal. I am not**  
15 **sure what S stood for in the acronym, and I do**  
16 **not recall what the standard was.**

17 Q. Okay. Under the next bullet it talks about  
18 accuracy. The same as P250.

19 When we're talking about an accuracy  
20 standard, what does that mean?

21 **A. Typically when we are referring to accuracy,**  
22 **we are referring to a dispersion of some**  
23 **number of rounds shot at the same point of**  
24 **aim.**

25 **And dispersion is measured in multiple**

1        ways. It could be an extreme spread, meaning  
2        when fired it was two shots apart, or it could  
3        be an average mean radius. There's different  
4        ways to measure dispersion or accuracy.

5        Q. The next one says POA, hyphen, POI.

6                What is that?

7        A. That's referring to the difference between  
8        point of aim and average point of impact of a  
9        group of shots, and it's -- the initial P320  
10       designs and the P250 designs had sights where  
11       they were adjustable for windage but not  
12       elevation without changing the sight. So that  
13       was the reference to which we were measuring  
14       that.

15       Q. And if you'll turn to our last page of our  
16       Exhibit 4?

17       A. (Witness complying).

18       Q. It talks about drop testing. It gives a  
19       couple of acronyms.

20                Do you see those?

21       A. In the last two bullets?

22       Q. Yes.

23       A. Yes.

24       Q. What are those?

25       A. SAAMI is an organization. SAAMI refers to

1       **Small Arms Ammunition Manufacturers Institute,**  
2       **and the second bullet is the California**  
3       **Department of Justice.**

4       Q. And those are two different sets of drop  
5       safety testing that was performed on the P320?

6       **A. Both of those tests were performed on the**  
7       **P320.**

8       Q. In developing the P320, was any testing done  
9       with regard to the trigger safety?

10       MR. JOYCE: Objection to form.

11       You can answer.

12       **A. In what manner?**

13       BY MR. WERTS:

14       Q. Was any testing done to determine whether one  
15       trigger was safer than another as it relates  
16       to unintended discharges from a user?

17       **A. I don't recall specific tests that evaluated**  
18       **the performance of one trigger's drop safety**  
19       **characteristics against another in terms of**  
20       **trigger design. We focussed on developing**  
21       **product design that passed the U.S. safety**  
22       **standards.**

23       Q. And those standards are SAAMI and the  
24       California Department of Justice?

25       **A. Yes.**

1 Q. Are there any others?

2 A. There are other -- such as, I believe, the  
3 National Institute of Justice. The drop  
4 safety test parameters are extremely similar  
5 between them.

6 Q. Okay. And I want to set aside the concept of  
7 drop safety because the P320 was tested for  
8 drop safety a number of different ways,  
9 correct?

10 A. Yes.

11 Q. Setting aside drop safety, was any other  
12 testing done to -- with regard to trigger  
13 safety on the P320?

14 MR. JOYCE: Objection to form.

15 You can answer.

16 A. There are not other trigger safety tests that  
17 I am aware of other than for manual safety  
18 guns.

19 There is a section in SAAMI that involves  
20 ensuring that the trigger safety prevents the  
21 trigger from being actuated under a certain  
22 poundage load.

23 BY MR. WERTS:

24 Q. Did Sig Sauer perform any hazard and risk  
25 analysis on the Sig Sauer P320 during its



1 development?

2 MR. JOYCE: Objection to form.

3 You can answer.

4 **A. We certainly discussed design in terms of risk**  
5 **factors and evaluated our design with that in**  
6 **mind.**

7 BY MR. WERTS:

8 Q. When I say a hazard and risk analysis, is that  
9 a concept you are familiar with?

10 **A. I'm aware of that terminology. There's many**  
11 **terminologies for that type of thing. Failure**  
12 **means and analysis is another.**

13 Q. And would you agree with me that in the field  
14 of mechanical engineering a hazard and risk  
15 analysis is a formal way of categorizing and  
16 analyzing the hazards and risks associated  
17 with a given product?

18 **A. Yes.**

19 Q. Did Sig Sauer undertake such a formal review  
20 of the P320 during its development?

21 **A. We did do FMECA analyses. The definition of**  
22 **formal is somewhat vague.**

23 Q. Did you write it down?

24 **A. There was FMECA documents written, yes.**

25 Q. What did they look like?

1     **A. They were tables that assess certain risks and**  
2     **assess the vulnerability to them and**  
3     **mitigating factors.**

4     Q. Okay. When -- so you've seen these documents,  
5     right?

6     **A. I have, not recently, but yes.**

7     Q. Okay. How many are we talking about? Like a  
8     small binder, a big binder, library?

9     **A. I believe it was digital.**

10    Q. How many pages do you think?

11    **A. I don't recall.**

12    Q. How many such analyses were done, or was it  
13    just one big analysis or were there several  
14    smaller ones?

15    **A. I recall one analysis document.**

16    Q. Has that -- to your -- Sig Sauer ever updated  
17    its hazard and risk analysis with relation to  
18    the P320 since its initial development?

19    **A. I don't know the answer to that.**

20    Q. When you were preparing to testify today, did  
21    you review any hazard and risk analysis  
22    documents?

23    **A. I did not.**

24    Q. Did you discuss any hazard and risk analysis  
25    with any of the people you spoke to in

1 preparation for today's deposition?

2 **A. I did not.**

3 Q. Do you know where to find the hazard and risk  
4 analysis documents?

5 **A. Not off the top of my head but I am confident**  
6 **that I could locate them.**

7 Q. Okay. How long do you think it would take?

8 **A. Less than an hour.**

9 Q. Okay. Other than drop safety, was there any  
10 analysis ever done by Sig Sauer with regard to  
11 the causation of -- terrible question. Let me  
12 start over entirely.

13 You talked about having seen a hazard and  
14 risk analysis.

15 Was that done during the development  
16 phase of the P320?

17 **A. I believe we did assess hazards during**  
18 **development, and we also created the FMECA**  
19 **document that I was referring to some -- at**  
20 **some point after initial launch.**

21 Q. And is that a process that Sig Sauer does on  
22 all new gun projects?

23 **A. Through -- through the history of development**  
24 **at Sig Sauer that I am aware of, I think there**  
25 **have been varying levels of documented formal**

1 **FMECA type analyses.**

2 Q. When you were doing the formal analysis, is  
3 that something that happens in like one  
4 sit-down meeting or does that happen over the  
5 course of time?

6 **A. I don't know that I can characterize that**  
7 **generally. I recall that the development of**  
8 **this specific FMECA was done over more than**  
9 **one working session.**

10 Q. And I am talking specifically about the P320  
11 on that --

12 **A. Understood.**

13 Q. Were there e-mails back and forth among your  
14 team talking about that project?

15 **A. I don't recall.**

16 Q. Your team back then, did you use e-mails to  
17 communicate with one another?

18 **A. We did.**

19 Q. Did you use Slack or any other sort of  
20 messaging system?

21 **A. No.**

22 Q. Have you ever used such a computerized  
23 messaging system at Sig Sauer?

24 **A. We've never used Slack. We do use Microsoft**  
25 **Teams, as an example.**

1 Q. The chat feature within Teams?

2 **A. Yes.**

3 Q. Have you used any other electronic messaging  
4 system besides Teams during your time at Sig  
5 Sauer internally?

6 **A. Text messaging.**

7 Q. Like over your cell phones?

8 **A. Correct.**

9 Q. Do you know what effort Sig Sauer undertook to  
10 review its Teams org or its Teams messages  
11 with regard to the document request in this  
12 case related to engineering?

13 **A. Is your request referring to Teams messaging**  
14 **about the FMECA?**

15 Q. About the P320 generally as it relates to  
16 engineering, which you are the engineering  
17 guy.

18 **A. Let me start answering by saying the use of**  
19 **Microsoft Teams at Sig Sauer has been a**  
20 **relatively recent activity. So if we are**  
21 **discussing going back in time to development**  
22 **of the P320 or even the modular handgun M17,**  
23 **M18 development, we were not using Teams at**  
24 **that time.**

25 Q. Okay. But you were using e-mail, right?

1     **A. We were using e-mail.**

2     Q. And text messaging?

3     **A. We did text message to some degree.**

4     Q. At that time, did Sig Sauer issue telephones  
5       to its staff or did everybody bring their own  
6       device?

7     **A. Most people had a landline on their desk. The**  
8       **engineers working on the P320 development were**  
9       **not supplied with cell phones by the company,**  
10      **to my knowledge.**

11    Q. To your knowledge, had Sig Sauer ever  
12       undertaken to gather or review any of the  
13       engineering team's personal text messages with  
14       regard to the P320?

15    **A. I do not know that.**

16    Q. And I mean that for -- for this case or for  
17       any one of the other many P320 litigations  
18       that exist.

19    **A. I do not know the answer to that question.**

20    Q. How would you find out?

21    **A. I would have to start asking people at Sig**  
22       **Sauer if that was done.**

23    Q. When you say Microsoft Teams was adopted  
24       relatively recently, can you put a little bit  
25       more meat on that bone? Are we talking last

1 week, last year?

2 **A. Definitely more than last week and last year.**

3 I really don't remember the exact time frame,  
4 but I -- I would estimate that five years ago  
5 we were not using it.

6 Q. Okay. Can you tell me -- not just regarding  
7 development -- what effort Sig Sauer has  
8 undertaken to gather any Microsoft Teams  
9 messages relating to the P320 in this  
10 litigation?

11 **A. I do not know the answer to that.**

12 Q. Can you tell me what effort Sig Sauer has  
13 undertaken to gather Microsoft Teams messages  
14 related to the Sig Sauer P320 for any other  
15 litigation?

16 **A. I do not know the answer to that.**

17 MR. JOYCE: We've been going for awhile.  
18 What are you -- what are your plans?

19 MR. WERTS: Let's hop off for a second.

20 MR. JOYCE: Okay.

21 THE VIDEOGRAPHER: Off the record 12:06.

22 (Brief recess taken)

23 THE VIDEOGRAPHER: Back on the record  
24 12:25. Media number four. Please proceed.

25 MR. WERTS: Do you want to mark that?

1 (Deposition Exhibit No. 8 was marked for  
2 identification.)

3 BY MR. WERTS:

4 Q. All right. I've handed you what has been  
5 marked as Deposition Exhibit 8.

6 Have you seen this before?

7 **A. I have.**

8 Q. All right. We've covered a fair amount of  
9 this, so I don't want to belabor this thing.

10 Do you see that the pages are numbered in  
11 the -- I guess they're in the lower left-hand  
12 corner but they're running sideways?

13 **A. Yes.**

14 Q. If you turn to page 30?

15 **A. (Witness complying).**

16 MR. JOYCE: This is Exhibit 5?

17 MR. WERTS: Eight actually.

18 MR. JOYCE: Eight?

19 MR. WERTS: Yeah, the guns got numbered  
20 so -- or the gun grips.

21 MR. JOYCE: Okay.

22 BY MR. WERTS:

23 Q. All right. So on page 30 of our Exhibit 8, we  
24 have got a photo of the -- I guess this  
25 prototype gun that's kind of exploded out.



1 Do you see that?

2 **A. I do.**

3 Q. Is that a fair representation of what a P320  
4 looks like broken apart?

5 MR. JOYCE: Did you say P320?

6 MR. WERTS: Yes.

7 **A. There are similarities.**

8 BY MR. WERTS:

9 Q. Okay. What are the differences?

10 **A. This is showing a -- what appears to be a**  
11 **tabbed trigger. The manual safety geometry**  
12 **looks different. It's not a great rendering,**  
13 **so it's a little bit hard to tell.**

14 Q. Fair enough. The -- we talked about some of  
15 the parts that were common with the P250.

16 This indicates that the barrels were also  
17 going to be common; is that right?

18 **A. That is correct.**

19 Q. And so Sig Sauer already had an inventory of  
20 barrels on a shelf that it could use in the  
21 P320 project?

22 **A. The -- they weren't new designs, so I presume.**

23 Q. Can you turn to page 32?

24 **A. (Witness complying).**

25 Q. It talks about five safety features.

1 Do you see that?

2 **A. I see five bullet points.**

3 Q. Are those five different safety features?

4 **A. It could be considered safety features, yes.**

5 Q. And the striker pin safety, that's what we  
6 talked about earlier, that is moved out of the  
7 way during the pre-travel portion of a trigger  
8 pull, correct?

9 **A. It's partially moved out of the way. Motion**  
10 **of the safety lever and the striker pin safety**  
11 **is -- is not defined as before or after**  
12 **pre-travel.**

13 Q. That's just part of the trigger pull --

14 **A. That's correct.**

15 Q. -- safety.

16 So just the gun working is what moves  
17 that notch or --

18 **A. The trigger -- trigger being depressed moves**  
19 **the trigger bar which causes this safety lever**  
20 **to rotate up and that causes the striker**  
21 **safety to be moved.**

22 Q. Then the bladed trigger would be a potential  
23 safety device but that never was used on a  
24 production model P320, correct?

25 **A. I believe we have never sold or produced**

1        **production blade trigger.**

2        Q.    Either to consumers, law enforcement or the  
3               military.    True?

4        **A.    Not to my knowledge.**

5        Q.    Though there is a rendering in the lower  
6               right-hand corner of page 32 that would show  
7               what that would look like, right?

8        **A.    It's showing one incarnation, yes.**

9        Q.    And then the manual thumb safety levers, that  
10              was originally an optional device.    It still  
11              is, correct?

12       **A.    Yes.    Manual thumb safety is still optional.**  
13               **It looks in the production versions a little**  
14               **different than what see in the bottom left**  
15               **picture, but yes.**

16       Q.    And that's an optional safety device for some  
17               models of the P320 but not all, correct?

18       **A.    We have not produced it as an option for all**  
19               **models, yes.**

20       Q.    And then the magazine safety, we talked about  
21               that.

22               That's just for the California compliant  
23               pistols, right?

24       **A.    The California compliant pistols are the only**  
25               **ones, to my knowledge, that we have produced**

1           that magazine safety in.

2           Q.   And loaded chamber indicator we talked about.

3                   That's also just in the California  
4           compliant models, right?

5           A.   That is not correct. That has been on other  
6           models.

7           Q.   Okay.

8           A.   There are different types of loaded chamber  
9           indicators. There can be visual where there's  
10          a notch where you can see the case. There can  
11          be visual and tactile. There have been cases  
12          where for certain tender submissions we  
13          utilize variants of the extractor to do that  
14          because the extractor is displaced by the case  
15          of a cartridge.

16                   And in the case of M17, M18, some of --  
17          there is a flag, if you will, that is lifted  
18          by the presence of the case of a cartridge and  
19          raises that flag above the top of the slide,  
20          and so it's there by visual and tactile.

21          Q.   And the presence or absence of a loaded  
22          chamber indicator doesn't have any impact on  
23          how the fire control unit works, correct?

24          A.   That's correct.

25          Q.   Doesn't have any impact on how the striker

1 works, correct?

2 **A. That's correct.**

3 Q. Doesn't have any impact on how the sear works.

4 **A. Correct.**

5 Q. Doesn't have any impact on any of the things  
6 that make the gun go bang and work. True?

7 **A. Yes. There is very slight -- it takes a very**  
8 **slightly higher force to -- to chamber the**  
9 **round because you have lift the flag against**  
10 **its spring to get the rim of the cartridge up**  
11 **to be chambered, but outside of that it**  
12 **doesn't impact function.**

13 Q. But the functionality has more than enough  
14 force to -- or energy built in to be able to  
15 accomplish that, right?

16 **A. It does.**

17 Q. Here's a term that we've kind of talked past,  
18 which is tool-less disassembly.

19 What does that mean?

20 **A. I am sorry. What page are you on?**

21 Q. Oh, I'm sorry. Turn to page 33.

22 **A. (Witness complying). So that's referring**  
23 **to -- disassembly would be what we call field**  
24 **stripping where the slide, barrel and recoil**  
25 **spring is removed from the grip module and**

1 fire control unit. That's the disassembly  
2 being referenced.

3 Tool-less means just that. No tools are  
4 required.

5 And when we say safe, part of what we  
6 were intending was that no actuation of  
7 trigger would be required by the user to  
8 accomplish this, and it would be -- no extra  
9 steps was our objective. It's just as a  
10 matter of the procedure for field stripping or  
11 disassembling the slide and barrel that it was  
12 safe and tool-less.

13 Q. And the tool-less nature of the P320 extends  
14 as far as we don't need tools to even swap out  
15 fire control units from one pistol frame grip  
16 to another, correct?

17 A. It is correct that you do not need tools to  
18 swap a fire control unit from one grip module  
19 to another. However, I don't believe that is  
20 what is being referenced in this page.

21 Q. That's true. I distinctively asked that just  
22 to take that off our list while we're taking  
23 about tool-lessness.

24 A. Mm-hmm.

25 Q. But we're in violent agreement on that, right?

1 That you don't need tools to swap out an FCU.

2 **A. In almost every instance of P320 or M17, M18**  
3 **design that is correct.**

4 There was a design that was -- where the  
5 takedown lever could not be removed without  
6 using a tool, and that was designed, developed  
7 to prevent certain people from being able to  
8 do that, with the thinking that the army and  
9 the modular handgun program would want that.  
10 I don't believe it was ever produced in  
11 production.

12 Q. Could you turn to page 38 for me, please?

13 **A. (Witness complying.)**

14 Q. This is talking about the P250 and something  
15 called the Action4.

16 What is that?

17 **A. Action4 was a type of ammunition.**

18 Q. I see. Does that have anything to do with the  
19 mechanical operation of the P320?

20 **A. No.**

21 Q. Can you turn to page 39 for me?

22 **A. (Witness complying.)**

23 Q. This is talking about a P290.

24 Do you see that?

25 **A. I do see that.**

1 Q. Are you familiar with a P290?

2 A. I know what it was. I don't know a lot of the  
3 details about it. Never worked on its design.

4 Q. Okay.

5 A. But I'm aware of the product.

6 Q. Just looking at this photo could a consumer  
7 know whether that's a double action, single  
8 action or striker fired pistol?

9 A. I don't think a consumer would be able to  
10 necessarily tell by looking at that photo.

11 Q. Can you turn to page 41 for me?

12 A. (Witness complying.)

13 Q. Do you recognize the format of the screens  
14 we're looking at here?

15 A. I do recognize them.

16 Q. What is this?

17 A. I am sorry. Could you repeat?

18 Q. What is it?

19 A. It's a specification for the P320 carry  
20 version. I don't exactly recall the software  
21 this was generated in, but I do recognize it.

22 Q. Okay. This isn't the Agile or the Oracle  
23 program we were talking about earlier?

24 A. This is not Agile or Oracle.

25 Q. And the front window in the upper right-hand



1 corner, that is just Microsoft Excel, right?

2 **A. It appears that way.**

3 Q. Now, this is talking about something called a  
4 P320 Carry Nitron in the upper left-hand  
5 corner.

6 Do you see that?

7 **A. I do see that.**

8 Q. The Nitron, that just describes the finish on  
9 the exterior of the frame, correct?

10 **A. The finish on the exterior of the slide.**

11 Q. Of the slide.

12 That finish doesn't have any impact on  
13 how the gun works though, right?

14 **A. Not any significant factor. The gun functions**  
15 **the same way.**

16 Q. Okay. And here it's described as the action  
17 type in the system, a striker fired DAO,  
18 double action only.

19 Do you see that?

20 **A. I do see that.**

21 Q. Is that a correct description of how the  
22 action of the P320 works?

23 **A. The P320 is a striker fired action.**

24 Q. Is it a striker fired double action only?

25 **A. The combination of those terms is -- I have**

1       seen it other places, but it's not by the  
2       definitions we reviewed earlier. They are  
3       sort of different things.

4               If a double action only is no -- the  
5       striker or hammer is not cocked at all, in the  
6       case of the P320 it's a striker fired action,  
7       and there is some amount of cocking that  
8       happens when you pull the trigger, albeit it  
9       small, but -- but it's in between, so it's not  
10      zero cocked and it's not 100 percent cocked.  
11      It's a striker fired action.

12   Q.   It's 97 percent cocked, right?

13   A.   Thereabouts.

14   Q.   Can you turn to page 50 for me?

15   A.   (Witness complying.)

16   Q.   Can you tell us what this is?

17   A.   This is a cross-sectional view of a tab  
18       trigger with a P320 and was essentially the  
19       tab trigger that was shown at shop show in  
20       2014.

21   Q.   Okay. What is the shop show in 2014?

22   A.   The shop show is an industry trade show. The  
23       shooting, hunting, outdoor trades maybe is the  
24       acronym, but it's a large industry trade show.

25   Q.   Where is it held?

1     **A. Typically Las Vegas.**

2     Q. Is it an annual event?

3     **A. I believe so. It's -- I can't swear it's**  
4     **happened every single year, but, yes,**  
5     **generally it's annual.**

6     Q. Sure. COVID made that question impossible to  
7     answer, so I apologize for that.

8             Is it open to the public?

9     **A. I am not absolutely certain on that. I know**  
10    **it's not free access, but I don't know the**  
11    **conditions for entry.**

12    Q. Okay. Have you been?

13    **A. I have been.**

14    Q. How many times?

15    **A. I don't recall but multiple.**

16    Q. And so is that where various manufacturers of  
17    different products showcase their  
18    newly-existing product lines?

19    **A. Yes. Multiple manufacturers in not just the**  
20    **firearms industry but as I said, shooting,**  
21    **outhunting, outdoor -- a whole array of**  
22    **different products are displayed by vendors.**

23    Q. And when Sig Sauer unveiled its P320, it had a  
24    tab trigger on its prototype, correct?

25    **A. We had prototypes with the tab trigger and**

1 without.

2 Q. And none of those tab triggers ever made it to  
3 production.

4 A. We did not produce tab triggers in the our  
5 production assembly.

6 Q. And that's not been some -- a tab trigger was  
7 not an option that a consumer could ever  
8 purchase, correct?

9 A. It was in our marketing literature, and if  
10 there was interest in procuring tab triggered  
11 versions, we would have done so.

12 We had the -- the parts that we designed  
13 were what we call tooled; meaning like we had  
14 paid vendors to manufacture tooling to mold  
15 those parts. We had purchased first articles  
16 and done inspections on those, and we had a  
17 small -- did order a small inventory of parts.

18 Q. Did you ever use them?

19 A. We did use them, but, for example, when we  
20 built the shop show guns that were shown, then  
21 we could have easily created skews and built  
22 production using those versions.

23 Q. But you never put a skew on a tab trigger  
24 option, correct?

25 A. To my knowledge, a skew was not created for a

1        **tab trigger version because we never had**  
2        **interest from anybody purchasing to do so.**

3        Q. But it's kind of a chicken and an egg thing,  
4        right? You've got to have a skew to sell it,  
5        right?

6                MR. JOYCE: Objection to form.

7                You can answer.

8        **A. So we would have to have a skew in place in**  
9        **order to produce and ship it, yes. We would**  
10       **not have to have a skew in order to have a**  
11       **customer tell us that that's what they wanted,**  
12       **or a distributor being one of our customers,**  
13       **tell us that's what they wanted and us**  
14       **producing it.**

15       BY MR. WERTS:

16       Q. When the P320 was being designed when you  
17       first started at SIG, you had never worked on  
18       designing a striker fired pistol before  
19       yourself, had you?

20       **A. I had not.**

21       Q. Sean Toner had never worked on designing a  
22       striker fired pistol prior to the P320, had  
23       he?

24       **A. To my knowledge he had not. Obviously he**  
25       **worked on the project when it had other**

1 project names, but combining those into one  
2 project, to my knowledge that was the first  
3 striker fired pistol design he worked on.

4 Q. Anyone on your design team have any experience  
5 designing a striker fired pistol?

6 A. Not to my knowledge.

7 Q. So we talked about that there are certain  
8 models of the P320 that are not in production  
9 for having a manual safety.

10 Do you recall that?

11 A. There are certain models of the P320 in  
12 production that do not have manual safeties.

13 Q. Correct.

14 Specifically we talked about the carry,  
15 as an example. You can't get a manual safety  
16 on a carry currently.

17 A. Okay.

18 Q. Is that true?

19 A. I don't recall.

20 Q. Was it the design engineering's team decision  
21 of which variants of the P320 were going to be  
22 available with the manual safety and which  
23 were not?

24 A. It was not.

25 Q. Whose was it?

1     **A. I would say that would have come to product**  
2     **management probably with input from marketing.**

3     Q. We talked about those hazard risk assessments  
4     earlier.

5             Do you recall that?

6     **A. I do.**

7     Q. Was the marketing department or the product  
8     management department involved in those  
9     discussions?

10    **A. I don't recall.**

11    Q. In your time at Sig Sauer, has anyone from  
12    product management or marketing ever been  
13    involved in a hazard risk assessment for any  
14    product?

15    **A. I don't recall specifics. In terms of general**  
16    **conversations, I am sure there have been**  
17    **discussions with product management about**  
18    **safety-related features, but I don't recall**  
19    **anything specific.**

20    Q. Prior to the P320 every pistol that Sig Sauer  
21    ever made had a manual safety on it, correct?

22             MR. JOYCE: Can you repeat that question?

23             MR. WERTS: Sure.

24             BY MR. WERTS:

25    Q. Prior to the P320 every pistol that Sig Sauer

1 ever made came with a manual safety on it,  
2 correct?

3 **A. That is not correct.**

4 MR. JOYCE: Objection to form.

5 BY MR. WERTS:

6 Q. How is my statement incorrect?

7 **A. Not all pistols that Sig Sauer produced prior**  
8 **to the P320 had manual safeties.**

9 Q. All of them had it as an option, correct?

10 **A. I do not believe that is correct.**

11 Q. What is an example of one where --

12 **A. The P250.**

13 Q. The design Sig Sauer P320 was based on?

14 **A. Correct.**

15 Q. When you were designing the P320, did Sig  
16 Sauer know it was going to be the first  
17 manufacturer to sell pre-cocked striker fired  
18 pistols without any external safety?

19 MR. JOYCE: Objection to form.

20 You can answer.

21 **A. I don't know that we really thought about it**  
22 **in terms of external safeties. The -- the**  
23 **drop safety characteristics of the P320 did**  
24 **not require a tab safety; whereas other models**  
25 **available do rely on the tab safety for drop.**



1                   **Certainly there are other striker fired**  
2                   **pistols of similar nature to the 320 that**  
3                   **don't have manual safeties. And the tab**  
4                   **trigger viewed as a safety is really largely**  
5                   **about drop safety. That's not the best place**  
6                   **to try to incorporate a manual safety**  
7                   **characteristic of some trigger block.**

8                   BY MR. WERTS:

9                   Q. When the P320 was developed, were you aware  
10                  that the Sig Sauer P320 was going to be the  
11                  first striker fired pistol that was pre-cocked  
12                  that did not have any sort of manual safety on  
13                  it?

14                  MR. JOYCE: Asked and answered.

15                  You can answer again.

16                  **A. I -- there were other partially cocked striker**  
17                  **fired pistols on the market without manual**  
18                  **safeties when we developed the P320.**

19                  BY MR. WERTS:

20                  Q. None of those pistols were 97 percent or more  
21                  pre-cocked though, were they?

22                  **A. I don't know the answer to that.**

23                  Q. What steps did Sig Sauer take to investigate  
24                  that question?

25                  **A. I don't know that we tried to answer what**

1 features every competitor had or how they  
2 functioned. We had a -- we had a sampling of  
3 competitor guns. We were aware of some, but  
4 we certainly didn't necessarily try to make a  
5 comparison of every product available on the  
6 market.

7 Q. What comparison guns did you look at?

8 A. I recall we had an M&P; we had Glocks; we had  
9 Springfield XD, as examples.

10 Q. Anything else?

11 A. I am sure there were others, but what we had  
12 at that time frame I don't recall  
13 specifically.

14 Q. None of those three pistols are pre-cocked to  
15 97 percent or more, are they?

16 A. I don't know the level of pre-cock in  
17 percentage of those pistols.

18 Q. What steps did Sig Sauer ever take to evaluate  
19 the level of pre-cocking in competitor  
20 designs?

21 A. I don't recall.

22 Q. Has Sig Sauer ever undertaken since the  
23 initial development to evaluate competitor  
24 designs and what degree of pre-cocked those  
25 pistols are?

1     **A. I don't know those details.**

2             (Deposition Exhibit No. 9 was marked for  
3     identification.)

4     Q. All right. I have handed you what we marked  
5     as Deposition Exhibit 9. I apologize this was  
6     printed a little small, and so we're not going  
7     to read -- we are not going to read -- we're  
8     not going to -- we're going to use the big  
9     words here and not get too into it because we  
10    covered most of it already.

11            And so SIG versus Competition, this  
12    table. It has the Glock, Smith & Wesson,  
13    Springfield Armory XD.

14            Those are the three pistols that you were  
15    comparing to during the design phase. Is that  
16    true?

17    **A. I did mention those three specifically, yes.**

18    Q. And those are the only three?

19    **A. I did not say that. I don't recall what other**  
20    **pistols we were -- we had possession of at the**  
21    **time.**

22    Q. That's the nature of my question.

23            Were there others?

24    **A. I am sure there were other pistols. How**  
25    **comparable they were I don't recall.**

1 Q. And at the left, again only -- I'm only going  
2 to ask you to read the biggest letters. We've  
3 got a one, two and three.

4 Those are legible, right?

5 **A. I do see the one, two and three on the left.**

6 Q. And it's a little bit lighter, but the first  
7 one is change caliber; the second is change  
8 size; and the third is change grip fit, right?

9 **A. I do see that.**

10 Q. And those are the characteristics that we've  
11 kind of already talked through; that you can  
12 change any of those options, but the internal  
13 mechanism, functionality and safety features  
14 of the P320 is the same regardless of what  
15 configuration it's in.

16 **A. Correct.**

17 Q. And that's true for P320 that's been  
18 manufactured since the voluntary upgrade  
19 program.

20 **A. Yes, with the exception of, that we've already**  
21 **discussed, that some grip modules had the**  
22 **notch cut for a manual safety and some do not.**

23 Q. Right. But other than the inclusion or  
24 exclusion of the manual safety, all of those  
25 guns work the same way, right?

1     **A.   Yes.**

2                 MR. WERTS:   Sticker please.

3                 (Deposition Exhibit No. 10 was marked for  
4                 identification.)

5     Q.   I hand you now what has been marked as  
6                 Deposition Exhibit No. 10.

7                 Can you turn to the second page, which is  
8                 80 -- I am sorry -- 6806.   And we've talked  
9                 about the fact that the full size, the carry,  
10                the compact, the subcompact, the X series, all  
11                of those have interchangeable fire control  
12                units and strikers and work mechanically the  
13                same way, right?

14    **A.   Yes.**

15    Q.   We've got a new one here called an RX.

16                What's that?

17    **A.   The RX models were mounted with a red dot**  
18                **optic.**

19    Q.   And that's a...

20    **A.   It's a sighting feature.**

21    Q.   Okay.   And that sighting feature doesn't have  
22                any impact on the mechanism of the pistol,  
23                correct?

24    **A.   That's correct.**

25    Q.   Can you turn to page 6807?

1     **A.   (Witness complying.)**

2     Q.   On the left-hand side, there is a picture of a  
3         part of the gun, correct?

4     **A.   That's correct.**

5     Q.   What is that?

6     **A.   That's what we refer to as the fire -- fire**  
7         **control unit.**

8     Q.   Is that a pre-upgrade or post-upgrade FCU?

9     **A.   That looks to be a pre-upgrade.**

10    Q.   Can you turn to the last page of our exhibit,  
11         which is 6808?

12    **A.   (Witness complying).**

13    Q.   This picture on the left-hand side kind of has  
14         the parts broken apart.

15                 What do you -- how would you describe  
16         that?

17    **A.   Some sort of exploded view representation,**  
18         **partially exploded.**

19    Q.   Is that a fair representation of the P320 in  
20         an exploded view?

21    **A.   Certainly it could be exploded further into**  
22         **breaking out the fire control unit components,**  
23         **but generally yes.**

24                 (Deposition Exhibit No. 11 was marked for  
25         identification.)

1 Q. I am going to hand you what we've marked as  
2 Deposition Exhibit 11?

3 Do you recognize what this is?

4 **A. It appears to be some sort of marketing**  
5 **brochure.**

6 Q. Okay. I am going to ask you an intentionally  
7 broad question. I could probably be accused  
8 of being overbroad, but I'm going to try to  
9 make this faster.

10 Is there any P320 pictured in Exhibit 11  
11 that mechanically works any differently or has  
12 any different safety features than any other  
13 P320 on Exhibit 11, not counting the inclusion  
14 or exclusion of a manual safety?

15 **A. You'll have to give me a minute.**

16 Q. Of course.

17 **A. There are a lot of pages here.**

18 Q. There are.

19 **A. (Pause). Some of the depictions are**  
20 **pre-upgrade. The modular handgun systems are**  
21 **showing a loaded chamber indicator, which is**  
22 **in all the pictures.**

23 Q. Which page are you looking at?

24 **A. 1742, for example. It's rather difficult to**  
25 **see. These are very small images and not the**

1 greatest clarity.

2 On the top of the slide between the top  
3 of the barrel hood and the sight plate cover  
4 is a black section in the middle which is the  
5 loaded chamber indicator.

6 Q. And on the 1742, the picture there, is that  
7 the modular handgun system that was delivered  
8 to the United States Army or the consumer  
9 version of the M17 that is offered to the  
10 public, or are they the same thing?

11 A. I am not sure which is being depicted. The  
12 loaded chamber indicators were the same  
13 between them.

14 Q. Are the the guns the same thing?

15 A. Not entirely. The differences are fairly  
16 subtle.

17 One of the differences is in the -- the  
18 barrel to slide assembly the military version  
19 has what we call pretension and the -- the way  
20 the barrel loads against the slide is slightly  
21 different than the commercial version. And  
22 it's very subtle. It has to do with the  
23 extreme accuracy requirements that were  
24 dictated by the modular handgun program, and  
25 it's a means by which we achieved higher



1 accuracy at the expense of more difficult  
2 manufacturing and production. So that is one  
3 difference that is very subtle between the two  
4 versions.

5 Other -- the other big difference is  
6 really in how some of the slides are cut for  
7 the sight mounting. There is different --  
8 different footprints, if you will, for  
9 different red dot optics and different sight  
10 mounting configurations that change the top of  
11 that slide cut slightly and the way sights are  
12 mounted.

13 Q. Any other differences?

14 A. Those are the two big ones that come to mind.

15 Q. And I'm just trying to understand on this.

16 Do you allow that there are other  
17 differences, or you are certain that's really  
18 all there is?

19 A. If there are other differences, they are not  
20 coming to mind.

21 Certainly there were differences  
22 pre-voluntary upgrade program models to the  
23 first shipment of firearms to the army to  
24 subsequent shipments of firearms to the army,  
25 and then post all that is where we get into

1 the multitude of sight mounting changes.

2 Depending on which shipment to the  
3 military, there were differences in finishes  
4 of the component. The first shipments were a  
5 coyote color with an anodize, and subsequently  
6 they were changed to black controls, which is  
7 what the -- the civilian versions have. So  
8 really subtle, something subtle with that.

9 Q. Okay. All right. So you were kind of making  
10 your way through the document. I'll let you  
11 continue to see if -- if my overbroad question  
12 is capable of being answered fairly. And if  
13 not, we'll pick it apart.

14 A. And your overbroad question was whether there  
15 are any safety features, other than manual  
16 safety, that are different between different  
17 pictures.

18 Q. Two things, do they mechanically function the  
19 same and are there any different safety  
20 characteristics.

21 A. Page 1744 has an entirely different product  
22 shown.

23 Q. The SP2022?

24 A. Correct.

25 Q. That has nothing to do with the P320?

1     **A.   Correct.**

2     Q.   Okay.

3     **A.   Page 1745 has a host of accessories that are**  
4         **not necessarily related to P320s.**

5     Q.   Okay.

6     **A.   Page 1746 has depictions of pistols that are**  
7         **not P320s.**

8                 **This is rather difficult given the small**  
9         **size and difficulty in...**

10    Q.   Well, let's stop at page 1746 then.

11                And so you reviewed from our first page  
12         1727 -- it's cut off, but if you go to the  
13         third page you can work backwards to it.

14    **A.   I did a cursory review of those pages, yes.**

15    Q.   From 1727 through 17, oh, 44, was where you  
16         found that SP2022.

17    **A.   That's correct.**

18    Q.   And there's a whole host of different P320  
19         configurations pictured on all these  
20         documents, correct?

21    **A.   That's what I saw.   If I -- again in a cursory**  
22         **review if I missed something that was**  
23         **different, I didn't pick up on it.**

24    Q.   Okay.   But mechanically they -- all the P320s  
25         that you looked at here use the same fire

1 control unit, correct?

2 **A. Again, not differentiating between**  
3 **pre-voluntary upgrade and post, yes.**

4 Q. And all of them function in the same way,  
5 correct?

6 **A. Again discounting differences between**  
7 **pre-upgrade and post-upgrade, yes.**

8 Q. And any descriptions that Sig Sauer made of  
9 the post-upgrade P320s would apply to every  
10 one of those pistols if it was a post-upgrade  
11 pistol, right?

12 **A. I don't know that I can answer that because I**  
13 **don't know every statement Sig Sauer made**  
14 **about pistols.**

15 Q. And so if Sig Sauer made a -- some statement  
16 about the safety characteristics of a Sig  
17 Sauer P320 that was post-upgrade, is there any  
18 reason that statement would not apply to every  
19 P320 if it was post-upgrade?

20 MR. JOYCE: Objection to form.

21 You can answer. Beyond the scope of this  
22 witness, as well, but you can answer.

23 **A. That's I think impossible for me to answer**  
24 **honestly because I don't know every statement**  
25 **we made. Like, I would have to know the**

1        **statements being made. Like, that's an**  
2        **incredibly broad summation of everything SIG**  
3        **stated.**

4        BY MR. WERTS:

5        Q. Well, if -- all the P320s work the same,  
6        right?

7        **A. In general principle, yes.**

8        Q. Okay. And all of the post-upgrade P320s have  
9        the same safety characteristics, subject to  
10       whether it does or does not have a manual  
11       safety, correct?

12       **A. Yes, they all function the same.**

13       Q. So if there is a statement describing the  
14       function of the P320, is there any reason it  
15       would not apply to every P320?

16       **A. Provided it was accurate and presume that is**  
17       **true, but again I don't -- I can't pretend to**  
18       **know every statement that has been made, so**  
19       **would need to answer that individually to be**  
20       **fair.**

21       Q. And I understand that, and, you know, part of  
22       it -- so that we're not here for eight days  
23       and me showing you every statement Sig Sauer  
24       has ever made about the P320, just as a matter  
25       of logic, right, all the P320s work the same,

1 correct?

2 **A. Yes. To -- to shorten this, I am not aware of**  
3 **any statements that would be in conflict with**  
4 **each other or that.**

5 Q. Okay. And, for instance, like there's  
6 statements that are in the Sig Sauer P320  
7 manual, right?

8 **A. There are a lot of statements in the P320**  
9 **manual, yes.**

10 Q. Right. And the manual does change over time,  
11 right?

12 **A. It has changed over time, yes.**

13 Q. There's been some revisions.

14 But the statements in that manual apply  
15 to -- if they were -- or let's go back to  
16 manuals after lunch.

17 MR. WERTS: I was going to try to short  
18 circuit this before we eat, but your food is  
19 getting cold so we should let you guys eat.

20 MR. JOYCE: Okay.

21 THE VIDEOGRAPHER: Off the record at  
22 1:11.

23 (Lunch recess taken).

24 THE VIDEOGRAPHER: We are back on the  
25 record 1:56. Media No. Five. Please proceed.

1 BY MR. WERTS:

2 Q. All right. I have put a monitor in front of  
3 you, and we'll to look at a couple of  
4 spreadsheets together, with us.

5 The first one I want to look at is  
6 SIG-GLASSCOCK 1.

7 And let me make -- tell me when -- I feel  
8 like an optician. Tell me when it's big  
9 enough that you can read it.

10 **A. I can generally make it out.**

11 Q. Okay.

12 MR. JOYCE: We're marking this exhibit  
13 what, 12?

14 MR. WERTS: Yeah, I guess we can --

15 MR. JOYCE: Yes.

16 MR. WERTS: I guess it would be  
17 Exhibit 12. I really don't have anything  
18 tangible to make.

19 MR. JOYCE: We can at least describe it.

20 (Deposition Exhibit No. 12 for  
21 identification.)

22 BY MR. WERTS:

23 Q. And so -- all right. So can you see at the  
24 top the file name, at the very top?

25 **A. SIG-GLASSCOCK 000001?**

1 Q. Yes. I want to start on the second tab, which  
2 is the explanation page at the bottom.

3 Do you see that?

4 **A. I do.**

5 Q. All right. And so this has -- have you seen  
6 report explanations like this before out of  
7 Sig Sauer systems?

8 **A. This does not look familiar to me.**

9 Q. And so I just want to get a concept of some of  
10 these headings without going too deep.

11 The first is shipped to cust category  
12 code.

13 Do you know what that means?

14 **A. I do not.**

15 Q. Okay. This may be another witness, but just  
16 to the extent that we are -- there's a couple  
17 things I want to ask you about this.

18 Column L is something called an item  
19 number.

20 Do you see that?

21 **A. I do.**

22 Q. What is an item number in the Sig Sauer  
23 parlance?

24 **A. I do not know that but can say those generally**  
25 **look like skews.**



1 Q. Okay.

2 **A. From the lines I can see.**

3 Q. And so as we are -- as we look at this, there  
4 are lots of skews. And if we kind of expand  
5 out the filters thing, it gives us a list of  
6 all the different skews that exist, right?

7 **A. At least all the different skews that are in**  
8 **this document.**

9 Q. Correct, good point. Or all the skews that  
10 are showing up within this document.

11 Is there any reason to think that any of  
12 the skews that are in this document  
13 mechanically function any differently than any  
14 of the other pistols that have a skew in this  
15 document?

16 **A. Can you scroll through the list again? There**  
17 **is an awful lot in that list.**

18 MR. JOYCE: I mean, are they all 320?  
19 Are you representing that they are all 320s?

20 MR. WERTS: I think they are all 320s,  
21 yes. I think they all contain -- they --  
22 let's just run a text filter.

23 BY MR. WERTS:

24 Q. Do you see that I'm hitting the contains?

25 **A. I do.**

1 Q. Actually a better choice would be does not  
2 contain.

3 And after setting it to does not contain,  
4 there is nothing on the list, right?

5 **A. Correct. It filtered everything out.**

6 Q. And so from that we can conclude that  
7 everything on there is a 320, true?

8 **A. Everything in there contains 320s in the item**  
9 **number entries. They all appear to be P320s.**

10 Q. And all P320s post upgrade work mechanically  
11 the same, correct?

12 **A. Yes.**

13 Q. And all P320s post upgrade had the same safety  
14 characteristics absent whether or not it has a  
15 manual safety.

16 **A. And if you consider a loaded chamber indicator**  
17 **any sort of safety related -- it's feedback to**  
18 **an operator.**

19 Q. Okay. But those are the only two possible  
20 differences?

21 **A. Those are the only two that come to mind, yes.**

22 Q. The second spreadsheet I want to look at,  
23 which is similar, was more newly produced --  
24 let me see if I can -- do you see at the top  
25 that this is SIG-GLASSCOCK 1772?

1     **A. Yes, or a copy of.**

2             MR. MANN: What do you want to make this  
3     exhibit?

4             MR. WERTS: And we'll call this one  
5     Exhibit 13 as -- thank you -- SIG-GLASSCOCK  
6     1772.

7             (Deposition Exhibit No. 13 for  
8     identification.)

9     BY MR. WERTS:

10    Q. And if we look at item number and we run the  
11    same logic of text filtering out does that  
12    contain 320 -- do you see that I have typed  
13    that in?

14    **A. I do.**

15    Q. That one didn't seem to work because the first  
16    line that pops up says 320C.

17             Do you see that?

18    **A. Yes. It still contains 3-2-0, so I don't know**  
19    **why the filter didn't filter that out.**

20    Q. Try this again.

21             All right. Do you see that I'm applying  
22    the filter to the entire dataset?

23    **A. I do.**

24    Q. I am not sure why that is not working. I'm  
25    going to set that one aside then. Let's look

1 at something more interesting.

2 MR. WERTS: Let's mark this as Exhibit  
3 14.

4 (Deposition Exhibit No. 14 for  
5 identification.)

6 Q. Which at the top you see it is SIG-ARMY 414?

7 **A. I see that.**

8 Q. This was just produced to us over the lunch  
9 break. And I probably didn't have this  
10 before, but we'll kind of go through it.

11 Do you recognize this?

12 **A. I do.**

13 Q. Can you tell me what this is?

14 **A. This is the documentation of the FMECA**  
15 **analysis that was done for the MHS pistols.**

16 Q. And so this analysis was done for the MHS  
17 pistol, which was SIG'S nominee for the  
18 competitive bidding process to become the  
19 military's handgun; is that correct?

20 **A. Yes. The MHS stands for the modular handgun**  
21 **system that we talked about earlier.**

22 Q. Okay. Did Sig Sauer perform an analysis like  
23 this for the P320 prior to its being submitted  
24 to the military for its consideration?

25 **A. To my knowledge, not one that was documented.**

1 Q. Okay. What does that mean?

2 A. It means I don't believe the FMECA causes or  
3 failures or risk assessments or severities  
4 were written down or put in a format such as  
5 this.

6 Q. Were they written down or put in any format?

7 A. Not that I am aware of.

8 Q. Are you aware of any efforts to gather  
9 together a list of all of the potential  
10 failures that the P320 might have had during  
11 its design development?

12 A. I am not aware of any documentation in written  
13 or digital form of such.

14 Q. Okay. Are you aware of any effort being made  
15 that wasn't documented?

16 A. I know there were discussions about safety  
17 characteristics and the -- as they pertained  
18 to the design of the P320.

19 Q. How many such discussions were there?

20 A. I don't know a number.

21 Q. Who participated in those discussions?

22 A. It would have been people such as myself, Sean  
23 Toner, Dave Johnson, other engineers working  
24 on it, such as Ethan Lessard would likely have  
25 been involved. And who all was involved in

1 the discussions I can't say exactly, other  
2 than those people would have likely been  
3 participating.

4 Q. Do you know whether there was any e-mail  
5 correspondence about the safety  
6 characteristics of the P320 during its design  
7 development?

8 A. I don't recall that one way or the other.

9 Q. Have you looked?

10 A. No.

11 Q. Whether for this case or any other litigation  
12 that's been going the last several years, have  
13 you ever been asked to look for those  
14 documents?

15 A. No, not that I recall.

16 Q. As part of the voluntary upgrade program, was  
17 any effort to perform any sort of hazard and  
18 risk assessment or analysis in developing what  
19 was to become the voluntary upgrade program?

20 A. The voluntary upgrade program design changes  
21 were intended to improve the safety  
22 characteristics of the P320. I am not  
23 knowledgeable about specific discussions that  
24 were had pertaining to different aspects of  
25 safety characteristics or the level...

1 Q. And so as I understand your answer, the  
2 voluntary upgrade was designed to improve the  
3 safety characteristics, right?

4 **A. Correct.**

5 Q. Wouldn't an analysis have to have been made to  
6 determine what safety characteristics were  
7 going to be addressed in order to accomplish  
8 that?

9 **A. That seems logical. As I was not directly**  
10 **involved in the development of the voluntary**  
11 **upgrade I don't have personal knowledge of**  
12 **what meetings happened pertinent to that.**

13 Q. With you, Mr. Sig Sauer, right?

14 **A. I am Mr. Sig Sauer.**

15 Q. And you are not able to tell me anything that  
16 was done to analyze what safety  
17 characteristics needed to be addressed in the  
18 voluntary upgrade program as we sit here  
19 today. Is that true?

20 **A. I am aware of the vulnerability in the drop**  
21 **safety that the army identified during the**  
22 **start of work meeting in February of 2017 and**  
23 **know that was -- that was one of the main**  
24 **focal points of the voluntary upgrade**  
25 **activities.**

1 Q. But the voluntary upgrade activities did not  
2 begin until August of 2017, correct?

3 A. That is not correct. August 2017 is when the  
4 launch of the -- the voluntary upgrade program  
5 and the production of pistols with those  
6 designs in them started, but the -- the  
7 content and the testing that was behind the  
8 voluntary upgrade changes started much earlier  
9 than that.

10 Q. But nothing had gone into production until  
11 after Omaha Outdoors published its piece  
12 regarding the P320, correct?

13 MR. JOYCE: Objection to form.

14 You can answer.

15 A. I don't recall the date that that Omaha video  
16 was published. I don't have that in my head  
17 in the timeline for where that was.

18 BY MR. WERTS:

19 Q. The Omaha Outdoors publication was in August  
20 of 2017.

21 Do you have any reason to dispute that?

22 A. In that I don't recall when it was, no, I  
23 don't have reason to dispute that.

24 August of 2017 was also when we launched  
25 the voluntary upgrade program and started



1 performing upgrades and producing P320s with  
2 that design incorporated.

3 Q. All of those changes were made within a week  
4 or two of the Omaha Outdoors public video,  
5 correct?

6 MR. JOYCE: Objection to form. Asked and  
7 answered. He testified with respect to the  
8 process.

9 But you can answer it again.

10 A. I don't know how many weeks or what the time  
11 span between was, but I know that within the  
12 month of August 2017 the launch of the  
13 voluntary upgrade program happened and  
14 production of pistols with those components  
15 started.

16 BY MR. WERTS:

17 Q. All right. Let's take a look at this FMECA.

18 Are you able to read that or do I need to  
19 bump it up a little bit?

20 A. I think I can make it out.

21 Q. Okay. So orient us to this document. We're  
22 on the first tab, which is FMECA.

23 What does -- how does one read this?

24 A. So in the left-hand column obviously is  
25 potential modes of failure as the header

1 indicates. And then the column B is the -- a  
2 potential cause of that failure mode, so the  
3 failure mode could have multiple potential  
4 causes. And then I think the following  
5 columns are identifying a probability of  
6 occurrence in severity, and those combined  
7 determine a risk assessment level.

8 And then as we move farther right, there  
9 are columns for recommended actions and  
10 responsibilities. And kind of past the screen  
11 is some more information specific to the P320.

12 Q. So the first one our failure mode is pistol  
13 accidentally, unintentional discharges.

14 Do you see that?

15 A. I see that in, yes, row three and subsequent  
16 rows.

17 Q. Right. But the first one, two, three, four,  
18 five of the risks that are identified are all  
19 pistol accidentally or unintentionally  
20 discharges, correct?

21 A. Yes.

22 Q. And then in column b it provides five  
23 different scenarios that could lead to that:  
24 Accidental trigger pull by the operator, by a  
25 foreign object, improper cleaning, impact or

1 the slide ignites the primer.

2 Do you see all those?

3 **A. I do.**

4 Q. And it says that the occurrences of C, if we  
5 go to the second tab it has a definition of  
6 probability occurrences.

7 Do you see that?

8 **A. I do.**

9 Q. And a C tells us it's likely to occur sometime  
10 in the life of an item, correct?

11 **A. I see that, yes.**

12 Q. And it will occur several times, right?

13 **A. Mm-hmm.**

14 Q. Is that yes? I am sorry.

15 **A. Yes.**

16 Q. You have been doing great the rest of the day.  
17 It's the first time I have had to do that.

18 And the hazard is that that could kill a  
19 person unintentionally, right?

20 **A. That's what's listed here, yes.**

21 Q. And do you agree with that assessment?

22 **A. Sure. A pistol accidentally or**  
23 **unintentionally discharging could kill a**  
24 **person unintentionally. It's a possible**  
25 **outcome.**

1 Q. And then under recommended actions, number one  
2 it says to see P320 actions and to train in  
3 accordance with operator's manual and  
4 FM3-23.35.

5 Do you see that?

6 **A. I do see that.**

7 Q. Do you recognize what that alphanumeric code  
8 is?

9 **A. For the FM3-23.35?**

10 Q. Yes.

11 **A. I do not.**

12 MR. JOYCE: Yeah. By counsel that's an  
13 army training document.

14 MR. WERTS: Okay.

15 MR. JOYCE: It was -- I'd asked for a  
16 copy of that one. It was superseded by  
17 another document TC3-23.35, which is another  
18 army training document. I have that one,  
19 which I can send you. It's not Bates stamped  
20 yet, but I don't -- we haven't come up with  
21 the old superseded version yet, but that's  
22 what it is. It's an army -- it's an army  
23 training document.

24 MR. WERTS: Okay.

25 BY MR. WERTS:

1 Q. And what actions did Sig Sauer take to train  
2 consumers in accordance with FM3-23.35?

3 MR. JOYCE: Objection to form.

4 **A. In that I am not familiar with the FM3-23.35,**  
5 **I can't answer that.**

6 BY MR. WERTS:

7 Q. Okay. Do you know what warnings were added to  
8 the operators manual as a result of the  
9 reference to that army training manual?

10 **A. I do not.**

11 Q. Do you know whether or not any warnings were  
12 added to the training manual as a result of  
13 that army training manual?

14 **A. I do not know if additional warnings were**  
15 **added or if the warnings in the prior owners**  
16 **manual already contained them. I don't know.**

17 Q. Do you know whether Sig Sauer took any action  
18 with regard to consumers related to the  
19 FM3-23.35 manual?

20 **A. I do not.**

21 Q. And then under the action results, the last  
22 sentence says: There is also a manual safety  
23 to further reduce probability of occurrence.

24 Do you see that?

25 **A. I do.**

1 Q. And that would apply to the modular handgun  
2 system pistols because every military handgun  
3 comes with manual safety. True?

4 **A. Per the requirements and specifications**  
5 **documents of that program, yes.**

6 Q. And that's generally true, that the United  
7 States Department of Defense requires a manual  
8 safety selector on every firearm. True?

9 **A. I am not certain of whether all of the**  
10 **Department of Defense does. There are other**  
11 **government agencies, such as Department of**  
12 **Homeland Security, which do not.**

13 Q. But I'm asking about the Department of Defense  
14 because it was the MHS pistol.

15 MR. JOYCE: Yeah, I'm just gonna say  
16 beyond the scope. That's what Lano is here to  
17 answer questions about.

18 But you can answer to the extent you  
19 know.

20 **A. I do not know the specifications of all**  
21 **jurisdictions under DOD.**

22 BY MR. WERTS:

23 Q. But as to the consumer P320, it's only a  
24 subset of the pistols that have a manual  
25 safety on them, correct?

1     **A. There is only the subset of the P320s that**  
2     **have been produced with the manual safety,**  
3     **correct.**

4     Q. And looking back at the first bullet, it says:  
5     The P320 minimum trigger pull is set to  
6     maximize trigger control without adversely  
7     affecting accuracy.

8             Do you see that?

9     **A. I'm sorry. Where are you reading?**

10    Q. Sure. I am cell J3.

11    **A. Okay.**

12    Q. Under the number one.

13    **A. I see where it says that.**

14    Q. Was the P320 trigger pull changed as a result  
15    of this FMECA analysis?

16    **A. Not to my knowledge.**

17    Q. Was the F -- or I'm sorry -- the P320's  
18    trigger pull weight changed as part of the  
19    submission to the modular handgun system?

20    **A. The -- there were P320s with trigger pull**  
21    **weights that exceeded the modular handgun**  
22    **requirements, so there were efforts to ensure**  
23    **that the pistols produced were within the**  
24    **specified range for this MHS project.**

25    Q. What were those efforts?

1     **A. I believe we attempted to minimize friction**  
2     **between components, and I don't recall the**  
3     **specifics.**

4     Q. And then the second action was taken, was  
5     adherence to range safety rules will preclude  
6     injury in the event of an accidental  
7     discharge.

8             Do you see that?

9     **A. I do see that.**

10    Q. What action did Sig Sauer take to promote  
11    adherence to range safety rules?

12            MR. JOYCE: Objection. Beyond the scope.

13            You can answer to the extent you know.

14    **A. There is warning tags on every pistol**  
15    **produced, reference reading the owners manual,**  
16    **becoming familiar with it. And we supply the**  
17    **owners manual that have precautionary**  
18    **information and safe handling rules.**

19            BY MR. WERTS:

20    Q. If you scroll down to starting on line 10 of  
21    our analysis, 10 through 15 is another five  
22    risks of pistol accidentally, unintentional  
23    discharges.

24            Do you see that?

25    **A. I do.**



1 Q. And here there is an accidental trigger pull  
2 while holstering or unholstering based on  
3 operator error.

4 Do you see that?

5 **A. I do see that.**

6 Q. Now -- and this is only classified as injury  
7 as opposed to unintentionally killing.

8 Do you see that?

9 **A. I see that it's listed that way in cell D10.**

10 Q. How did Sig Sauer come to the inclusion that  
11 an accidental trigger pull while holstering or  
12 unholstering was less risky than the  
13 accidental trigger pulls we looked at above?

14 **A. I do not know the answer to that.**

15 Q. We also have all of these occurrence rates.

16 What studies did Sig Sauer perform to  
17 determine the occurrence rates of these  
18 various different types of accidental,  
19 unintentional discharges?

20 **A. I don't know the answer to that.**

21 Q. Do you recall performing any studies during  
22 the design development of the P320 as to  
23 accidental or unintentional discharge rates?

24 **A. Outside of drop testing, no.**

25 Q. After the initial design development phase,

1 has Sig Sauer ever gone back and performed any  
2 other testing as to the occurrence rates of  
3 accidental or unintentional discharges?

4 **A. I do not know.**

5 Q. As you sit here, do you know whether Sig Sauer  
6 had any basis for the occurrence rates that it  
7 put in the FMECA?

8 **A. I do not know what the basis for these entries**  
9 **was.**

10 Q. I guess I should ask this. Did your design  
11 engineering team produce this analysis?

12 **A. We did not. I believe it was a compilation of**  
13 **efforts largely led by the VP of engineering**  
14 **at the time and the head of quality.**

15 Q. Who are those people, please?

16 **A. David Johnson and Ed Murphy.**

17 Q. And then earlier we talked about who was on  
18 the FMECA team, and those names didn't come  
19 up.

20 So what's the distinction?

21 **A. This is pertinent to MHS and the form of**  
22 **documentation.**

23 Q. Okay. So this is -- the document we have from  
24 your perspective is a formal documentation in  
25 support of the military contract, not in

1 support of the design of the pistol?

2 **A. It could be viewed in design of support of a**  
3 **pistol in that they are extremely similar**  
4 **designs. This particular document was -- the**  
5 **document was created for the MHS program.**

6 Q. Was a separate analysis done for the MHS  
7 program than what was done for the P320  
8 program in order to develop the datum that  
9 populate this analysis?

10 **A. I don't know the answer to that.**

11 Q. As you sit here, do you know whether any data  
12 analysis work was done in order to populate  
13 the datum on this FMECA report?

14 **A. I -- I do not know what was behind the entries**  
15 **made here, so I do not.**

16 Q. And that line of questioning was asking about  
17 the occurrence rates.

18 If I were to ask you the same questions  
19 about the potential effects of failure rates  
20 or severity, do you have any more information  
21 about what analyses would have gone in to set  
22 those failure or effects of failure or  
23 severity rates in this analysis?

24 **A. I do not.**

25 Q. Do you know -- are you able to identify any

1 studies or any testing that Sig Sauer did in  
2 order to populate this FMECA analysis?

3 **A. I cannot cite specific tests that were done to**  
4 **support this.**

5 Q. And then I have flipped over to the severity  
6 tab.

7 Do you see that?

8 **A. I do.**

9 Q. And this is -- at the top it says severity  
10 level, mil standard 882E.

11 Do you see that?

12 **A. I do.**

13 Q. So SIG didn't come up with this rubric for the  
14 different levels, the military did, right?

15 **A. That is my understanding.**

16 Q. And then SIG decided however, whomever did,  
17 which of these severity levels apply to each  
18 of the different risks?

19 **A. That is my understanding.**

20 Q. But you don't have any information you can  
21 share with me today about how that process was  
22 done.

23 **A. I do not.**

24 Q. If we look at risk assessment matrix, do you  
25 see that?

1 A. I do.

2 Q. We have -- did SIG come up with this, did the  
3 military, or is this just a standard rubric or  
4 something else?

5 A. I don't know the answer to that in this  
6 specific specification, but this type of risk  
7 assessment matrix is not unique to this  
8 occurrence or instance where -- where probably  
9 and severity are matrixed together.

10 Q. In your time at Sig Sauer, have you ever used  
11 this sort of risk assessment matrix in any of  
12 your work?

13 A. I have used similar type matrices for some  
14 things in my work.

15 Q. What is that?

16 A. We -- in part of creating the technical  
17 documentation packages for this program, we  
18 created drawings that had quality assurance  
19 provision markings on drawings, and we have  
20 used a matrix similar to this to help identify  
21 which dimensions or characteristics on  
22 drawings might apply or have higher  
23 sensitivities in a risk assessment matrix so  
24 that they could be flagged for -- as quality  
25 assurance provisions.

1 Q. And then I flipped back to the probability  
2 occurrence tab on this, brought that up, and  
3 again these are defined by the mil standard  
4 882E, correct?

5 **A. That is my understanding.**

6 Q. But somebody at SIG had to utilize this  
7 military defined standard to populate the  
8 form, right?

9 **A. It would seem that way, yes.**

10 Q. I am going to take my screen away from you.  
11 You mentioned the Department of Homeland  
12 Security a couple times today.

13 At some point did Sig Sauer provide  
14 handguns to the Department of Homeland  
15 Security?

16 **A. Yes.**

17 Q. And after those handguns were delivered, did  
18 the Department of Homeland Security perform  
19 some of its own safety testing on those  
20 pistols?

21 **A. I believe that is correct.**

22 Q. What testing did they perform?

23 **A. I do not recall.**

24 Q. What were the results of the Department of  
25 Homeland Security's safety testing?

1     **A. My recollection is that we passed their**  
2     **testing without issue.**

3     Q. Did Sig Sauer have to issue new springs of  
4     some sort to the Department of Homeland  
5     Security that had to be exchanged by DHS  
6     armorers on every single pistol?

7     **A. I don't recall.**

8     Q. Do you have any information one way or another  
9     about that?

10    **A. Not in current recollection.**

11             MR. JOYCE: That's, you know, beyond the  
12     scope of this witness's designation.

13             BY MR. WERTS:

14     Q. With regard to testing, which is within your  
15     scope, it's your recollection that Sig Sauer  
16     passed the DHS testing and the DHS didn't have  
17     any issues with their guns?

18     **A. I do not recall otherwise, but my recollection**  
19     **on the detail of DHS activities is limited.**

20     Q. As you were preparing for today's deposition,  
21     were you provided any facts or information or  
22     documents about DHS's testing on the P320?

23     **A. No.**

24     Q. Were you provided any facts, documents or  
25     information about any other outside entities'

1 testing of the P320?

2 **A. No.**

3 Q. As you sit here, are you able to tell me one  
4 way or another whether any outside entity has  
5 ever performed any safety testing on the P320?

6 **A. Yes.**

7 Q. Who is that?

8 **A. I don't know that I can list all, but, for**  
9 **example, attempts to have TR certification by**  
10 **ULM, U-L-M, involved significant testing.**

11 Q. What is U-L-M?

12 **A. It's a proof house in Germany that does more**  
13 **than proofing. Obviously does extensive**  
14 **testing for certification of firearms to be**  
15 **sold in that market.**

16 Q. And was the P320 certified to be sold in the  
17 German market?

18 **A. It was eventually.**

19 Q. Did it require the inclusion of a manual  
20 safety?

21 **A. I don't recall if a manual safety was on that**  
22 **model or not.**

23 Q. Did it require any changes to the 320 design?

24 **A. Yes, very significant changes due to the**  
25 **requirements of the product by the TR**



1           **specifications. It was not like production**  
2           **320s.**

3       Q. What were the differences in the German model  
4       and the production U.S. P320s?

5       **A. Significant. The trigger -- the required**  
6       **trigger pull weight was much higher. The**  
7       **required trigger travel was higher. There**  
8       **were requirements of muzzle velocity. It was**  
9       **a large number of differences.**

10      Q. Have modifications to other  
11      internationally-sold P320s been required for  
12      other international markets?

13      **A. I don't recall specifics.**

14      Q. And is that fairly common for other countries  
15      to have requirements for the importation of  
16      firearms into their markets?

17      **A. I don't know that it's per importation**  
18      **requirements, but it's not uncommon for**  
19      **militaries and foreign militaries to have**  
20      **specific product requirements.**

21      Q. Are you aware that the United States has  
22      certain importation requirements for firearms?

23           MR. JOYCE: Objection. Beyond the scope.

24           BY MR. WERTS:

25      Q. Go ahead.

1     **A. I am aware there are requirements. I am not**  
2     **intimately familiar with what they are.**

3     Q. Would you be surprised to learn that the ATF  
4     requires a manual safety on every pistol  
5     imported in the United States?

6             MR. JOYCE: Objection to form.

7     **A. That was not something I knew.**

8             BY MR. WERTS:

9     Q. And given your prior answer -- this may be  
10    obvious but just so the record is complete --  
11    it's true, to your knowledge, that Sig Sauer  
12    made no changes to its consumer P320s as a  
13    result of any testing results it received from  
14    DHS, correct?

15            MR. JOYCE: Beyond the scope.

16            But you can answer.

17    **A. I don't have that knowledge.**

18            BY MR. WERTS:

19    Q. Were any changes made to any of the warnings  
20    given to consumers as a result of the DHS test  
21    results that were shared with Sig Sauer?

22    **A. I do not know the answer to that.**

23            MR. JOYCE: Same objection.

24            BY MR. WERTS:

25    Q. We talked a little bit about design philosophy

1 and that sort of thing as it relates to  
2 firearms.

3 When you were designing the P320, did you  
4 know the product was being designed for sale  
5 in part to the general public?

6 **A. Yes.**

7 Q. And it was Sig Sauer's expectation that  
8 consumers would purchase their pistols that  
9 you were designing, specifically the P320, for  
10 their personal use?

11 **A. Yes, that was understood.**

12 Q. And you knew that consumers were going to have  
13 to pay a price for the Sig Sauer P320 when  
14 they purchased it, right?

15 **A. Yes. I am not sure of it being given away for**  
16 **free.**

17 Q. Sometimes they are easy questions.

18 Is it ever permissible for the  
19 manufacturer of pistols to sell that pistol to  
20 consumers if there's reason to believe the  
21 pistol is defective?

22 MR. JOYCE: Objection to form.

23 You can answer.

24 **A. It does not seem like that would be a good**  
25 **business practice to sell a design to -- that**

1       **was known to be defective.**

2       BY MR. WERTS:

3       Q. But do you think it's ever permissible even if  
4       it's not a good business practice?

5               MR. JOYCE: Same objection. Asked and  
6       answered.

7               I don't know if you're asking a legal  
8       question. What does -- what does permissible  
9       mean? Objecting to the question on multiple  
10      grounds.

11              You can do the best you can with it.

12      **A. I don't know that I can answer that for Sig**  
13      **overall. I don't believe I am qualified to**  
14      **answer that.**

15      BY MR. WERTS:

16      Q. Well, we're talking about design.

17              And so from a design philosophy, is it  
18      ever okay for SIG to manufacture a pistol to  
19      sell -- and sell that pistol to consumers if  
20      it has reason to believe it's defective?

21              MR. JOYCE: You've asked that question  
22      and he's answered that exact question. I  
23      would ask to move on to a different question.

24      BY MR. WERTS:

25      Q. Go ahead and answer if you would, please.

1 MR. JOYCE: Last time.

2 **A. I -- I think it's the responsibility of the**  
3 **design team to design away from any known**  
4 **defects.**

5 BY MR. WERTS:

6 Q. Would you agree with me that a manufacturer of  
7 a pistol should take all reasonable steps to  
8 ensure that the pistol is not defective before  
9 selling?

10 MR. JOYCE: Objection to form.

11 You can answer.

12 **A. It does seem reasonable or prudent to take all**  
13 **reasonable steps to ensure design is not**  
14 **defective.**

15 BY MR. WERTS:

16 Q. If there's a reasonable safety feature that is  
17 feasible to be added to a pistol, should the  
18 manufacturer add that feature?

19 MR. JOYCE: Objection to form.

20 You can answer.

21 **A. That depends upon an assessment of the**  
22 **advantages or disadvantage is of adding a**  
23 **feature. Rarely is there an instance where**  
24 **addition of features is solely advantageous.**

25 BY MR. WERTS:

1 Q. And is there a process at Sig Sauer for  
2 evaluating that sort of analysis as you just  
3 described?

4 A. I don't know that a formalized process exists.  
5 I think there are discussions with subject  
6 matter experts that are used to weigh the pros  
7 and cons, and in many cases such feature sets  
8 are left to the choice of the customer to  
9 answer differing opinions from our customer  
10 base on whether the feature set advantages  
11 outweigh the disadvantages or not. An example  
12 being manual safeties on a P320.

13 Q. And has Sig Sauer ever evaluated the pros and  
14 cons of requiring a manual safety on all  
15 P320s?

16 A. I don't -- I am not aware of a -- of a formal  
17 evaluation process, and I think the fact that  
18 even from very early product requirement or  
19 specification or objective documents, show it  
20 was intended to be an option from the very  
21 beginning.

22 Q. You made some reference to certain law  
23 enforcement customers that did not want a  
24 manual safety.

25 Do you recall that?

1     **A. Not specifically but it -- I am -- if I said**  
2     **that, that is fine.**

3     Q. Okay. Is it true?

4     **A. There are law enforcement agencies that do not**  
5     **want manual safeties, yes.**

6     Q. Has Sig Sauer ever undertaken any studies to  
7     determine consumer customer preference as to  
8     whether or not a manual safety is included on  
9     the pistol?

10    **A. I am not aware of studies that try to get an**  
11    **averaged answer or a majority answer on that**  
12    **question. That's why it's left as an option.**

13    Q. But you are not aware of any testing or  
14    studies that SIG has done as to understand  
15    that consumer desire?

16    **A. I am not aware of any statistical compilation**  
17    **of responses or input like that.**

18    Q. When you were doing the design on the P320,  
19    were you provided any information about  
20    customer preferences?

21    **A. I am sure there were verbal discussions about**  
22    **general customer preferences as product**  
23    **management and marketing people were aware of**  
24    **them, as well as sales people within SIG.**

25    Q. Were you provided any of the bases for those

1 statements that were just coming from  
2 marketing and product management departments?

3 **A. I don't recall any written or documented**  
4 **information to that nature.**

5 Q. Do you agree that a pistol manufacturer should  
6 disclose to the consuming public any defects  
7 in its pistols?

8 MR. JOYCE: Objection to form.

9 You can answer.

10 **A. I think if there are true defects, and I think**  
11 **the definition of defect becomes important,**  
12 **that that definitely needs to be a**  
13 **consideration in the discussion point. If**  
14 **it's -- if it's truly a defect, if there's a**  
15 **part quality issue with a particular part that**  
16 **would warrant a recall, for example, then,**  
17 **yes, that should be made public.**

18 There are -- the examples of a defect I  
19 think become pertinent to that answer.

20 BY MR. WERTS:

21 Q. Would you agree with me that Sig Sauer knows  
22 more about its pistol than reasonable  
23 consumers do?

24 MR. JOYCE: Objection to form.

25 You can answer.



1     **A. In general, yes.**

2             BY MR. WERTS:

3     Q. Would you agree that Sig Sauer knows more  
4       about any risks in its products than the  
5       reasonable consumers would?

6             MR. JOYCE: Objection to form.

7             You can answer.

8     **A. I think it depends what consumer it is, but on**  
9       **average that is probably true.**

10            BY MR. WERTS:

11    Q. And Sig Sauer understands that reasonable  
12       consumers would want to know about the risks  
13       in the products they buy, right?

14            MR. JOYCE: Objection to form.

15    **A. I think the desired information a consumer**  
16       **wants varies but could certainly include**  
17       **any -- any information that is specific to**  
18       **that product or uniqueness to that product.**

19            We are talking about very broad  
20       statements, so it's hard to answer  
21       specifically.

22            BY MR. WERTS:

23    Q. And would you agree that a manufacturer is  
24       required to disclose any risks or hazards a  
25       product has that are not apparent to a

1 reasonable consumer?

2 MR. JOYCE: Objection to form. Asks for  
3 a legal opinion.

4 You can answer over objection. Beyond  
5 the scope.

6 **A. Could you repeat the question, please?**

7 BY MR. WERTS:

8 Q. Sure.

9 Would you agree that a manufacturer is  
10 require to disclose any risks or hazards a  
11 product has that are not apparent to a  
12 reasonable consumer, subject to the same  
13 objections?

14 **A. What is apparent to a reasonable consumer or**  
15 **not is not something I can define. Specific**  
16 **to purchase of firearms and its consumer base,**  
17 **I think there is a certain responsibility of**  
18 **somebody purchasing a firearm to be aware of**  
19 **the safety hazards in general with firearms,**  
20 **and it's their responsibility to know what**  
21 **they are buying.**

22 Q. Can we agree a manufacturer is never permitted  
23 to -- can we agree a manufacturer is never  
24 permitted to affirmatively misrepresent the  
25 safety of a product?

1 MR. JOYCE: Objection to form. Asks for  
2 a legal opinion. Beyond the scope.

3 You can answer.

4 **A. It doesn't seem that that's something**  
5 **companies would want to do, but I don't know**  
6 **what permission you are saying.**

7 BY MR. WERTS:

8 Q. We've talked about a variety of tests, about  
9 the development or design development with the  
10 P320.

11 Have we talked about all of the tests  
12 that you ran on the P320 during its design and  
13 development?

14 **A. We have not talked about all types of testing**  
15 **performed, no.**

16 Q. Okay. What are we missing?

17 **A. It's just development of pistols often**  
18 **involves rebut -- excuse me -- reliability and**  
19 **durability testing, which we did mention. It**  
20 **also typically includes safety testing**  
21 **involving board obstructions.**

22 It involves environmental testing such as  
23 hot environments, cold environments, rain,  
24 mud, sand and dust, loose cargo over the  
25 beach. There is a fairly lengthy array of

1 different types of environmental testing.

2 Q. What else?

3 A. Outside of environmental testing, there is  
4 sometimes user evaluation testing done to  
5 procure feedback on ergonomics, design  
6 features, sets, just user feedback on how they  
7 like different features. Things of that  
8 nature.

9 Q. And were you provided any of that user  
10 feedback information as part of your design  
11 development?

12 A. Specific to the P320?

13 Q. Correct.

14 A. Specific to the P320 we did do some testing  
15 with different shooters to assess the effect  
16 of shooter style and recoil management on  
17 reliability. And I was involved in that.

18 Q. Okay.

19 A. I don't recall large scale tests with a very  
20 large number of different shooters in the P320  
21 development to gather all of that type of  
22 feedback.

23 Q. Okay. Other than recoil management, were  
24 there other consumer feedback studies that  
25 were done as part of the design?

1     **A.   Specific to the P320?**

2     Q.   Correct.

3     **A.   Not that I recall.**

4     Q.   We saw earlier on that PowerPoint kind of the  
5           five different safety features, four of which  
6           were occupational.

7           Do you recall that, when we were looking  
8           at the -- I think it's Exhibit 3?

9     **A.   I think it listed out a tab trigger, a manual**  
10    **safety.**

11           It would probably be helpful if we look  
12           at the exhibit again?

13    Q.   Please.

14    **A.   It was Exhibit 3?**

15    Q.   I believe so.

16           Actually Exhibit 5. I apologize. That's  
17           the one. And -- that one.

18    **A.   Okay.**

19    Q.   Can you tell us what page you are looking at?

20    **A.   32.**

21    Q.   Okay. So the safety features listed here are  
22           striker pin safety, blade trigger optional,  
23           manual thumb safety levers optional, magazine  
24           safety optional, loaded chamber indicator  
25           optional.

1 Q. Okay. Was any testing performed to evaluate  
2 the safety of the P320 with or without any of  
3 those individual safety systems?

4 A. We -- excuse me. I believe we did do some  
5 drop testing without the striker pin safety.

6 Q. Anything else?

7 A. We certainly did drop testing without the  
8 optional features, as well.

9 Q. Did your design team include a human factors  
10 expert?

11 A. Our -- we currently have an industrial  
12 designer in the R and D staff. He was not on  
13 staff at the time of initial P320 development.

14 Q. Who is that?

15 A. Scott Shinkle.

16 Q. Did your design team do any focus group  
17 testing to see how reasonable consumers might  
18 respond to different warnings about the P320?

19 A. Not that I recall.

20 Q. What testing was done to test the efficacy of  
21 warnings that were included with the P320?

22 A. I don't know the answer to that.

23 Q. Do you know whether anyone evaluated or  
24 considered the effectiveness of the warnings  
25 that were included regarding the P320?

1     **A. I don't know the answer to that.**

2     Q. Had Sig Sauer ever done any testing to  
3       determine how effective its warnings in its  
4       manual are?

5     **A. I don't know the answer to that.**

6     Q. There have been several iterations of the P320  
7       manual over the years, right?

8     **A. I don't know how many, but I know there have**  
9       **been revisions made.**

10    Q. Is the design engineering team consulted in  
11       writing those warnings?

12    **A. We -- the engineering design team is consulted**  
13       **in terms of reviewing the owners manual, but**  
14       **we are not engaged in the formulation of the**  
15       **verbiage.**

16    Q. Who is?

17    **A. Our technical writing team obviously**  
18       **formulates the manuals, and I believe our**  
19       **legal department is involved in some of that**  
20       **verbiage; but as I have not been involved I**  
21       **can't say specifically for others.**

22    Q. We talked about the FMECA and some of the  
23       informal hazard risk assessments that you  
24       recall over the years regarding the P320.

25               Do you recall that?

1     **A. Yes, we spoke of that.**

2     Q. When the manual is being updated, have any of  
3       those people involved in the manual update  
4       writing been involved in any of those hazard  
5       risk assessment discussions?

6     **A. I don't know the answer to that.**

7     Q. You indicated that you didn't think that the  
8       hazard risk assessment discussions had been  
9       documented.

10           Are you aware of any way in which the  
11       information contained in the informal hazard  
12       risk assessments was conveyed to the people  
13       actually writing the manuals?

14     **A. I am not aware of...**

15     Q. Do you know even whether or not that  
16       information was conveyed to those folks?

17     **A. I do not.**

18     Q. Has Sig Sauer ever done any testing to see how  
19       effective the warning on its website is?

20           MR. JOYCE: Objection. Overbroad.

21           You can answer over objection.

22     **A. I do not know.**

23           BY MR. WERTS:

24     Q. Just looking at Sig Sauer P320 from the  
25       outside, just holding one in your hand, do you



1 believe a reasonable consumer would -- could  
2 tell by looking at it what action type it had?

3 **A. Simply by holding it or looking at it?**

4 Q. Correct.

5 **A. Probably not.**

6 Q. If they racked the -- the slide, do you think  
7 they would be able to tell?

8 **A. Probably not.**

9 Q. Is it written anywhere on the exterior of the  
10 gun what type of action it has?

11 **A. It is not.**

12 Q. You are familiar with the Sig Sauer P322,  
13 right?

14 **A. I am.**

15 Q. We've talked about it a couple times.

16 And we agreed that's a single action only  
17 pistol, right?

18 **A. Yes.**

19 Q. Do you think a reasonable consumer could look  
20 at the P322 and tell that it was a single  
21 action only pistol?

22 **A. Not simply by looking at the external  
23 assembled pistol.**

24 Q. With the rack slide would they be able to  
25 tell?

1     **A. Not likely.**

2     Q. Even if they fired the gun, would they be able  
3     to tell?

4     **A. I -- I don't know the answer to that.**

5     Q. What about the Sig Sauer P320, do you think a  
6     reasonable consumer would be able to tell what  
7     type of action it had even if they fired it?

8     **A. Not necessarily.**

9     Q. Were you aware that in other litigation Sean  
10    Toner has testified that the P320 was a double  
11    action pistol?

12   **A. I was aware that he had been questioned on**  
13   **that topic, but I never read the transcript of**  
14   **any of his depositions or court testimony.**

15   Q. Did you ever talk to him about it?

16   **A. We have talked about the fact that that was in**  
17   **marketing literature in the past.**

18   Q. Were you aware that Mr. Toner has also  
19   testified in other cases that the P320 is a  
20   single action pistol?

21   **A. I don't recall if I was aware or not.**

22   Q. Do you have reason to dispute that?

23             MR. JOYCE: To dispute what?

24             BY MR. WERTS:

25   Q. That Mr. Toner had testified under oath that

1 the P320 is a single action pistol.

2 **A. I don't have reason to dispute what has been**  
3 **recorded as to what he's testified.**

4 Q. And were you aware that after he had gone from  
5 double action to single action in this  
6 testimony he had a third deposition; he went  
7 back and said it was a double action?

8 **A. Again, having never read any of his**  
9 **transcripts, I don't know that.**

10 Q. The action type of the P320 has never changed  
11 since it entered production, has it?

12 **A. We know the functional characteristics of the**  
13 **P320 has not changed in terms of the amount**  
14 **of -- the striker that is cocked, so it's been**  
15 **a striker fired action since its inception.**

16 Q. And that's true both before and after the  
17 voluntary upgrade, correct?

18 **A. That is correct.**

19 MR. JOYCE: Can we take five minutes?

20 MR. WERTS: Of course.

21 **THE WITNESS: I was just going to say I**  
22 **should have taken my glasses off.**

23 THE VIDEOGRAPHER: Off the record at  
24 3:01.

25 (Brief recess taken.)

1 THE VIDEOGRAPHER: We're back on the  
2 record 3:14. Media No. 6. Please proceed.

3 MR. WERTS: Will you mark that, please?

4 MR. JOYCE: What are we up to, 14?

5 MR. WERTS: 15 because we had the three  
6 online.

7 MR. JOYCE: Right.

8 (Deposition Exhibit No. 15 was marked for  
9 identification.)

10 BY MR. WERTS:

11 Q. I'm going to hand you what has been marked as  
12 Deposition Exhibit 15.

13 Do you recognize what this is?

14 **A. I do.**

15 Q. Can you tell us what this is?

16 **A. It's the purchase description for the modular**  
17 **handgun solicitation. It outlines**  
18 **requirements and specifications of the**  
19 **program.**

20 Q. Okay. If you look at pages -- at the bottom  
21 of page two, it starts listing a number of  
22 standards.

23 Do you see that?

24 **A. I do.**

25 Q. And then that kind of goes on for a couple of

1 pages, right?

2 **A. Yes.**

3 Q. And these are all the standards that the  
4 modular handgun system had to meet in order to  
5 be acceptable to the military.

6 Is that your understanding from a design  
7 perspective?

8 **A. And more. Like there's some specifications**  
9 **related to the -- the whole program and the**  
10 **cartridge as well as the pistol, but, yes, in**  
11 **general.**

12 Q. Yeah, there may be even more requirements but  
13 the modular handgun system had to meet all of  
14 these standards, right?

15 **A. These -- yes, these standards per 2.2.1 cites**  
16 **the following specifications, standards, and**  
17 **handbooks form a part of this document to the**  
18 **extent herein specified. Unless otherwise**  
19 **specified, the issues of these documents are**  
20 **those cited in the solicitation or contract.**

21 Q. Okay. And ultimately the -- Sig Sauer's  
22 modular handgun system was accepted by the  
23 army or the military, correct?

24 **A. Yes.**

25 Q. And so from that we can infer that the Sig

1 Sauer modular handgun system meets all these  
2 standards. Is that true?

3 **A. I -- I believe we could say that the M17, M18**  
4 **submission sufficiently met these standards to**  
5 **meet the army's acceptance level.**

6 Q. Does the consumer P320 post upgrade meet all  
7 these standards?

8 **A. To -- to the extent the M17, M18 meet these**  
9 **standards. I don't believe these standards on**  
10 **the first couple pages include requirements,**  
11 **such as dispersion size, which would be**  
12 **detailed later in this document.**

13 Q. Sure. There may be a whole bunch of other  
14 standards. I'm just talking about what is on  
15 the list here.

16 **A. But in -- in this section of standards, yes,**  
17 **the M17, M18 and the commercial M -- P320**  
18 **should -- should have similar results.**

19 Q. If you turn to page 12 for me, please.

20 **A. (Witness complying).**

21 Q. Prior to the break you were talking about all  
22 the different environmental tests.

23 Do you remember that?

24 **A. I do.**

25 Q. And does part -- Section 3.6, does this list

1 out all the different environmental tests that  
2 you had to do for the military?

3 **A. Yes.**

4 Q. And all of those tests were done for the  
5 consumer P320, as well, right?

6 **A. I am not certain that the consumer P320 went**  
7 **through all of these tests. They certainly**  
8 **went through many of them.**

9 The commercial P320 has been evaluated  
10 against a whole host of testing standards for  
11 all of the various agencies, military, law  
12 enforcement, that it's been submitted to and  
13 got accepted.

14 MR. WERTS: Mark that for me, please.

15 MR. JOYCE: Are we done with this one?

16 MR. WERTS: Yes, we are.

17 (Deposition Exhibit No. 16 was marked for  
18 identification.)

19 BY MR. WERTS:

20 Q. You have been handed now what has been marked  
21 as Exhibit 16.

22 Can you tell me what this is?

23 **A. This is an engineering change proposal.**

24 Q. What does that mean?

25 **A. It's an engineering change proposal. It is a**

1       proposal to make some sort of design change to  
2       the M17 or M18.

3       Q.   And was this the engineering change proposal  
4       made by the military to address some of its  
5       drop safety concerns on the M17 and M18?

6       A.   Yes.   This -- this engineering change proposal  
7       pertained to the initial shipment that the  
8       DCMA accepted on the army's behalf in August  
9       of 2017.   So these -- these changes were  
10      similar to parts of the voluntary upgrade.

11           The pistols that were shipped subsequent  
12      to that August 2017th approval were later  
13      replaced with pistols that had the full  
14      upgrade similar to the voluntary upgrade in  
15      the commercial sector.

16      Q.   Is there any differences between the internal  
17      parts on the post-upgrade P320 and the  
18      post-ECP M17, M18 pistol?

19      A.   We are --

20           MR. JOYCE:   Are you talking about on the  
21      FCU or any -- any part of the firearm?

22           MR. WERTS:   Any part of the internal  
23      workings of the gun.

24      A.   So post this ECP, the guns produced for the  
25      army were different than the guns produced for



1 the army later. So these ECP changes were  
2 different than what is in the commercial  
3 voluntary upgrade and what is in subsequent  
4 M17, M18 shipments to the army.

5 BY MR. WERTS:

6 Q. Is there another ECP besides this one?

7 A. There are many more ECPs besides this one.

8 Q. Okay. How many more?

9 A. I don't know the answer to that. Engineering  
10 change proposals are submitted not just for  
11 fairly extensive component changes like this  
12 but for even relatively minor changes to the  
13 tolerance on a drawing, for example.

14 Q. And do you know where all of those other ECPs  
15 are stored?

16 A. Jim Lano would be better suited to answer that  
17 question. I believe I can find them, but I  
18 can't tell you the network location where  
19 they're saved out of my head.

20 Q. And would engineering change proposals like  
21 this, would those be -- do those go to the  
22 design engineering team or do those go with  
23 the folks that interface with the military or  
24 both?

25 A. It's both. The design team is definitely

1 involved because they are involving design  
2 changes. But the people that interface with  
3 the army, such as Jim Lano, are certainly part  
4 of the process and part of the submission of  
5 this type of paperwork to the army for  
6 approval.

7 Q. Did you review any other ECPs besides this one  
8 in advance of today's deposition?

9 A. I did not review specific ECPs, and I also did  
10 not review this one.

11 Q. Can you turn to the second page for me?

12 A. (Witness complying).

13 Q. It has a series of numbers, and I am assuming  
14 these numbers related to the drawings that  
15 follow; is that right?

16 A. Are you referring to Box 12?

17 Q. I am.

18 A. Yes, those would be part numbers that would  
19 have drawings associated with them.

20 Q. Okay.

21 (Deposition Exhibit No. 17 was marked for  
22 identification.)

23 Q. All right. I am handing you what has been  
24 marked as Deposition Exhibit 17.

25 Do you recognize this?

1     **A.   I do.**

2     Q.   Can you tell me what this is?

3     **A.   It's an owners manual for the P320.**

4     Q.   And if you turn to the very last page, there  
5         is a part number and a revision number.

6             Do you see that?

7     **A.   I do see that.**

8     Q.   And this says Rev 00.

9             What does that tell us?

10    **A.   The seems that it's the first released**  
11       **revision.**

12    Q.   And so people get the owners manual whenever  
13         they -- their -- they get their plastic case  
14         that the pistol comes in, correct?

15    **A.   Yes, that's been the case.  Owner manuals are**  
16       **also now available on the website.**

17    Q.   And it used to be that people got paper  
18         copies, but now they get like a link that they  
19         can go to to find the website version, right?

20    **A.   Correct.**

21    Q.   Can you turn to page 12, which is the third  
22         page of the document?

23    **A.   (Witness complying).**

24    Q.   The very last line says:  The P320 pistol is a  
25         double action only design.

1 Do you see that?

2 **A. I do see that.**

3 Q. Is that a correct statement?

4 **A. From an engineering perspective I would**  
5 **characterize the P320 as a striker fired**  
6 **action.**

7 Q. So you said that's not a correct statement  
8 then?

9 **A. The P320 has elements of a double action, and**  
10 **it has elements of a single action. The**  
11 **percentage cocked is closer to single action,**  
12 **but it's in between. Hence I would better**  
13 **classify it as a striker fired action.**

14 Q. But it's 97 percent cocked every time it's  
15 loaded, right?

16 **A. Thereabouts.**

17 Q. And so when Sig comes out with a manual, a  
18 version of the manual, the same manual goes in  
19 every one of the guns, right, that's coming  
20 out of the factory?

21 **A. For a particular model and that until a**  
22 **revision is made, as you pointed out.**

23 Q. The revision gets made and then it's a change  
24 across the board. Every gun that goes out of  
25 the factory gets the new -- new manual, right?

1     **A. That is my understanding based upon whether**  
2     **the effectivity of the change is made.**

3     Q. Now, I will tell you that in production we  
4     were provided a number of -- excuse me --  
5     manuals for the P320 and then another set of  
6     manuals for the P320X.

7             Were you aware that those were two  
8     different lines of manuals?

9     **A. I believe I was aware that there were -- there**  
10    **was more than one owners manual depending on**  
11    **the model.**

12    Q. Okay. Is there any substantive difference  
13    from what is going to be in the X version  
14    versus just the regular P320 on what warnings  
15    are going to be given at any given time?

16    **A. I would have to review the manuals side by**  
17    **side to ascertain what differences there are**  
18    **between the two.**

19    Q. From a design and warnings philosophy is there  
20    any reason there should be a difference at any  
21    one time?

22    **A. Not in a broad sense that I can think of at**  
23    **the moment.**

24    Q. Because we've talked kind of ad nauseam that  
25    there's no difference in the mechanical

1 function of an X series P320 and a regular  
2 P320 from a mechanical or safety perspective,  
3 correct?

4 **A. Yes.**

5 Q. And in that discussion we established there is  
6 no difference, right?

7 **A. They're substantively the same.**

8 Q. And so from your perspective Sig Sauer would  
9 intend to give substantively the same warnings  
10 about those guns, correct?

11 **A. I'm sorry. Can you repeat the word you used**  
12 **in the question?**

13 Q. Sure.

14 From your perspective, Sig Sauer would  
15 intend to give the same substantive warning  
16 about the guns at any given time, whether it's  
17 an X series or not?

18 **A. I would think so, yes.**

19 (Deposition Exhibit No. 18 was marked for  
20 identification.)

21 Q. I hand you what has been marked as Exhibit 18.

22 And as you go to the back, this is  
23 revision 12 or the 2024 version.

24 Do you see that?

25 **A. I see that it is revision 12 of a different**

1        **part number.**

2        Q.    The cover says it's the SIG P320 Operator's  
3        Manual though, right?

4        **A.    It does.**

5        Q.    Okay.    Can you turn to page three of the  
6        document?

7        **A.    (Witness complying).**

8        Q.    There is a warning that I will represent to  
9        you appears for the first time in this  
10        reversion 12 of this manual.

11                Are you familiar with this manual safety  
12        warning that appears on page three?

13        **A.    I have read through it.**

14        Q.    Have you read it before today?

15        **A.    I have read very similar warning statements.**  
16        **I don't know if it was this exact verbiage.**  
17        **Similar.**

18        Q.    Was the design engineering team consulted in  
19        writing this warning?

20        **A.    I do not know the answer to that.**

21        Q.    Do you know who wrote this warning?

22        **A.    I do not know the answer to that.**

23        Q.    Do you know what information was relied upon  
24        by Sig Sauer in writing this warning?

25        **A.    A general understanding of how the mechanisms**

1 function certainly went into that, the  
2 knowledge that the pistol was designed to  
3 discharge when a trigger is depressed, when  
4 the manual safety is not engaged certainly.

5 Q. Anything else?

6 A. Not that I am aware of specifically.

7 Q. We looked at a couple of the manuals.

8 Other than the operator's manual, are  
9 there any other ways that Sig Sauer conveys  
10 warnings to consumers about the Sig Sauer  
11 P320?

12 A. Well, there is -- there are product safety  
13 feature videos on the website, for example.  
14 We apply a warning tag to every product  
15 shipped. We promote safe handling and offer a  
16 wide variety of training opportunities that  
17 all reenforce firearm safety and safe  
18 handling.

19 Q. You said there is a safety tag applied when  
20 every firearm ships.

21 What are you referring to?

22 A. There is a tag that's attached around the  
23 trigger guard to every -- every P320 shipped.  
24 Help that refers to the owners manual and to  
25 be familiar with function and operation of the



1        **product and to read through and understand the**  
2        **owners manual prior to use.**

3        Q. Is that tag unique to the P320 within the Sig  
4        Sauer line, or do all Sig Sauer pistols have  
5        such a tag around the trigger guard?

6        **A. All pistols have a similar tag. Whether the**  
7        **exact verbiage is identical I am not certain.**

8        Q. And has the SIG P320 shipped with that tag  
9        around the trigger guard since it was first  
10       launched?

11       **A. I believe so.**

12                (Deposition Exhibit No. 19 was marked for  
13       identification.)

14       Q. I hand you now what has been marked as  
15       Exhibit 19, which is an e-mail from Tom  
16       Taylor.

17                If you turn to the third page for me?

18       **A. (Witness complying).**

19       Q. Back to that one.

20                The bottom paragraph -- and you talked  
21       and you were kind of listing some of the  
22       standards earlier that these P320s has been  
23       tested to. And I saw -- found this as a kind  
24       of focused list.

25                If you'll read the first full sentence to

1 yourself and let me know when you are ready  
2 for a couple questions.

3 **A. (Witness complying).**

4 Q. And I will represent to you that I don't think  
5 this is Sig Sauer talking in this sentence. I  
6 think this is an independent -- if you look at  
7 the second page, I think it's an independent  
8 writer, or at the very bottom of the first  
9 page. I think it's an independent writer  
10 writing about the Sig Sauer P320. So I don't  
11 want you to think that I am putting words in  
12 Sig Sauer's mouth.

13 But my question is whether or not you, as  
14 Sig Sauer, whether you agree with that  
15 sentence or not?

16 **A. We have tested the P320 to SAAMI NIJ, FBI,**  
17 **DOJ, TOP standards. As I said earlier, many**  
18 **of those standards are very similar to one**  
19 **another. SAAMI and NIJ are nearly identical.**  
20 **TOP is a little bit higher height onto a**  
21 **different surface, so there are differences**  
22 **between the tests.**

23 I don't recall the details of  
24 Massachusetts and California DOJ testing as  
25 they're -- as to how they are different from

1       **the other tests.**

2       Q.   So a couple questions then, as you were  
3       talking about some drop testing specific  
4       things and this just talks about being tested.

5               Is the -- the P320, including the  
6       consumer P320, generally tested to all the  
7       safety tests that are published by all of  
8       those organizations that we are looking at in  
9       our Exhibit 19?

10      A.   We -- we thoroughly test them all, but we  
11      don't necessarily test to each standard  
12      individually. We take the most abusive tests  
13      and make sure that we are testing thoroughly  
14      against those scenarios and including all of  
15      the orientations, et cetera.

16      Q.   But you are talking about drop testing there,  
17      correct?

18      A.   I am talking about drop testing.

19      Q.   Other than drop testing, does Sig Sauer run  
20      safety tests as published by those  
21      organizations?

22      A.   Outside of drop testing, I am not familiar out  
23      of my head with what the details of the other  
24      safety testing in each of these standards is.  
25      I can say that certain testing, such as board

1 obstructions, we do carry out per some of  
2 these standards, and actually more abusive or  
3 safety intensive testing. As an example,  
4 obstructing the barrel with projectiles and  
5 then firing into them.

6 Q. This writer also talks about various others.

7 Are you aware of any other testing or any  
8 other organizations that have published  
9 testing standards other than those listed  
10 here?

11 A. We talked about the ULM testing in Germany to  
12 the TR requirements, so those exist.

13 Certainly many law enforcement agencies  
14 have their own standards.

15 The army program had the specific set of  
16 standards we looked at briefly in one of your  
17 exhibits that was incredibly rigorous, and,  
18 you know, we passed those tests and had -- had  
19 accepted results; and it resulted in sale and  
20 shipment to agencies across the country and  
21 across the world.

22 Q. Set that aside.

23 We talked a little bit about the Sig  
24 Sauer P320 being 97 percent pre-cocked anytime  
25 a chamber is loaded.

1 Do you recall that?

2 **A. 97 percent or thereabouts, yes.**

3 Q. Are you aware of any medium where Sig Sauer  
4 warns customers that the P320 is 97 -- or  
5 roughly 97 percent energized anytime a chamber  
6 is loaded?

7 **A. I would view that as a functional design**  
8 **characteristic of the product. I don't view**  
9 **that as something that needs to be warned**  
10 **against.**

11 Q. Maybe not using the term warning as a loaded  
12 term then.

13 Are you aware of any way in which Sig  
14 Sauer informs customers that the P320 is  
15 97 percent, roughly, energized any time a  
16 round is chambered?

17 **A. I don't believe that level of how the P320**  
18 **operates is something that is put in an owners**  
19 **manual or widely distributed outside of an**  
20 **armorer's class where people are taught to**  
21 **assemble or disassembly and perform those**  
22 **types of functions. You know, we're -- we**  
23 **just don't get into that depth of the**  
24 **subtleties of the design, I think, in what are**  
25 **frequent conversations with customers.**

1 Q. Does Sig Sauer undertake to inform customers  
2 through any means that the Sig Sauer P320 has  
3 sufficient energy to discharge a projectile  
4 anytime a round is loaded in the chamber?

5 MR. JOYCE: Objection to form.  
6 Incomplete hypothetical.

7 You can answer over objection.

8 **A. In a similar nature, it comes down to the --**  
9 **how the P320 functions.**

10 Could you repeat the verbiage of your  
11 question, please, to make sure I answer it  
12 correctly?

13 BY MR. WERTS:

14 Q. Sure. I'll try to ask it verbatim, but I  
15 don't have this one written down, so I have to  
16 do it from memory myself.

17 And is there any medium whereby Sig Sauer  
18 informs customers that the Sig Sauer P320 has  
19 sufficient energy to discharge a projectile  
20 anytime a round is chambered?

21 **A. I don't think we try to go to that level of**  
22 **functional detail with the P320 or any SAO or**  
23 **any DA/SA or any of our pistols.**

24 Q. Okay.

25 **A. It's -- I think it comes down to the customer**

1 has a user interface with the firearm. The  
2 customer often dry fire a pistol before  
3 purchasing. They feel what the trigger  
4 characteristics are.

5 You know, hopefully the sales people are  
6 doing their job and interfacing with customers  
7 and talking through the features of -- of the  
8 product, as well as reenforcing safe handling.

9 Q. We talked a couple of examples earlier about  
10 whether or not you thought a reasonable  
11 consumer would understand what action type a  
12 P320 had by looking at it or articulating the  
13 slide. You gave another example there with  
14 dry fire.

15 Do you think that a reasonable consumer  
16 dry firing a P320 would be able to gain an  
17 understanding of the action type in that  
18 pistol?

19 A. I don't think most consumers care what action  
20 a pistol is. I think they care what the  
21 trigger feels like and the -- the  
22 characteristics of that trigger pull as it  
23 pertains to firing the weapon.

24 Q. What do you base that on?

25 A. A general perception of people in the industry

1 and discussions I've had with all sorts of  
2 people about what they care about in pistols,  
3 and it comes down to the trigger feel and  
4 the -- those type characteristics. And while  
5 there are people who I am sure do care, I  
6 don't know that the type action was  
7 necessarily as important to many customers as  
8 the -- how -- how the gun feels and functions  
9 when they're going to use it in practice or --  
10 or self defense or competition or whatever  
11 type use they intend.

12 Q. Does Sig Sauer believe the heavier trigger  
13 pull in a double action style semiautomatic  
14 pistol is itself a safety feature?

15 MR. JOYCE: Objection to form.

16 Overbroad.

17 You can answer.

18 A. So the -- a double action trigger almost  
19 always has either a higher trigger pull weight  
20 or -- and/or longer trigger travel distance.  
21 So it is certainly a more intentional effort  
22 to fire the product.

23 There are certain customers who specify  
24 higher trigger pull weights for that reason.  
25 Police departments, for example, where they



1 know their officers are likely to be in a  
2 stressful situation want a higher trigger pull  
3 weight. That's not a universal mentality.  
4 That's some departments want that. Other  
5 departments feel that the ability to shoot  
6 more accurately because there is a -- not as  
7 high a trigger pull weight or as long a travel  
8 is actually preferable.

9 So it -- I think there is an array of  
10 perspectives from different customers.

11 BY MR. WERTS:

12 Q. Those were both law enforcement examples you  
13 gave.

14 Has SIG undertaken to evaluate the safety  
15 or whether even a higher trigger weight is  
16 more safe from a consumer perspective?

17 A. I think a higher trigger weight from an  
18 accuracy perspective could easily render that  
19 gun potentially less safe. People pulling the  
20 trigger should be focused on what they're  
21 aiming at and -- and obviously know what's  
22 down range and be shooting at something with  
23 the intention of discharging the weapon. And  
24 if the higher accuracy that that can be done  
25 with, the more likely it is that the intended

1 target will be hit and not something else.

2 Q. What do you base that on?

3 A. Experience shooting guns with heavy trigger  
4 pulls and shooting guns with lighter trigger  
5 pulls.

6 Q. And we talked a little bit earlier about Sig  
7 Sauer understanding that it was going to be  
8 selling the P320 for -- for -- to the general  
9 public for personal use.

10 Do you recall that -- those questions we  
11 had earlier?

12 A. I do. It was intended for commercial public  
13 use, but it was also designed with the intent  
14 that it would be used by law enforcement and  
15 potentially military.

16 Q. And within those design use cases Sig Sauer  
17 intended it, it being the P320, to be an  
18 everyday carry gun for consumers, correct?

19 A. I -- certainly intended for personal  
20 protection as well as duty carry. Certainly  
21 it can include everyday carry.

22 Q. And it was also intended for storage as a home  
23 defense weapon, as well, correct?

24 A. Sure.

25 Q. Since the voluntary upgrade program Sig Sauer

1 has received reports of certain unintended  
2 discharges with the P320, correct?

3 **A. Yes.**

4 Q. And there have been some videos that made the  
5 rounds online of different unintended  
6 discharges.

7 Have you seen those videos?

8 **A. I have seen videos of that nature.**

9 Q. A police officer is getting out of a car and  
10 their -- seemingly their lawyer pistol goes  
11 off.

12 You seen videos like that?

13 **A. Yes.**

14 Q. You seen the video where the police officer is  
15 reaching down to grab a suspect's ankle and  
16 the pistol goes off on the side?

17 **A. I don't know if I saw that one specifically.**  
18 **I did see a video of a police officer**  
19 **interacting with somebody that had been**  
20 **apprehended or was simulating being**  
21 **apprehended, I don't recall, and there was a**  
22 **discharge.**

23 Q. And kind of like the cops lobbies the --

24 **A. Right.**

25 Q. Okay. After some of these videos -- Sig Sauer

1 became aware of these videos and these  
2 reports, what additional safety testing did  
3 Sig Sauer perform on the P320?

4 **A. We start by evaluating the videos very**  
5 **carefully and studying what likely could have**  
6 **happened in those scenarios, whether firearms**  
7 **were properly holstered when situations like**  
8 **that occurred and ascertain in what nature**  
9 **improper handling or firearm safety protocols**  
10 **contributed to the situation.**

11 Q. And so Sig Sauer's approach has been to look  
12 at each of those on an individual basis and  
13 try to figure -- dissect what happened in  
14 exactly that instance. Is that fair?

15 **A. I am certainly aware of that happening in some**  
16 **cases. I'm not -- I am not in a position to**  
17 **speak to certainly all of the cases Sig Sauer**  
18 **was aware of or evaluated.**

19 Q. And that is not your topic. That is -- and  
20 the individual responses like that, that is  
21 someone else's problem.

22 My question for you is, has there been  
23 any broad-based study of the Sig Sauer P320's  
24 safety characteristics as a result of these  
25 reports of unintended discharges that have

1       been coming in in the last several years?

2       **A. There have been attempts made to replicate**  
3       **things that were perceived to have happened,**  
4       **and almost universally, to no avail, in terms**  
5       **of being able to replicate, the P320 does not**  
6       **discharge by itself. I have yet to see any**  
7       **evidence or find any way to see that that**  
8       **could possibly happen, despite attempts over**  
9       **long periods of time to try to initiate that**  
10       **or replicate things that have happened.**

11               Factors such as pistols not being fully  
12       holstered or zippers or seatbelts contacting  
13       the firearm during entry or exit of a vehicle  
14       or people putting on or taking off garments,  
15       things like that, come to scenarios where the  
16       pistol was not properly protected from the  
17       sense of guarding the trigger.

18       **Q. From a design perspective, expected misuse is**  
19       **something that you build into your product**  
20       **designs, is it not?**

21       **A. Certainly to the degree that -- that we can we**  
22       **do and weighing, as we talked about earlier,**  
23       **advantages and disadvantages of design**  
24       **characteristics that could be incorporated.**

25       **Q. Because Sig Sauer knows that these guns are**

1 ultimately being carried and used by people,  
2 right?

3 **A. Yes.**

4 Q. And people mess up. That's a -- that's a  
5 known fact, right?

6 **A. That is exactly why we try to reenforce and**  
7 **promote the safety characteristics and safe**  
8 **handling practices at all our opportunities,**  
9 **and we promote training and encourage that.**

10 Q. Has Sig Sauer made any design modifications to  
11 the P320 to address any of these reports of  
12 unintended discharges it's been receiving over  
13 the last several years?

14 **A. In the reports we have been receiving that I**  
15 **am -- I am familiar with, the trigger was**  
16 **depressed, and -- and these firearms are**  
17 **designed to discharge when the trigger is**  
18 **depressed. That is the ultimate design**  
19 **function at a base level that we are looking**  
20 **for.**

21 So doing things like, in the initial  
22 design, making sure that the width of the grip  
23 module trigger guard area is wider than the  
24 trigger to help prevent something actuating or  
25 moving the trigger during holstering or some

1       other event is -- is one design consideration  
2       we incorporated.

3       Q.   And that was incorporated in the original  
4       design, correct?

5       A.   Yes.

6       Q.   And my question was, just to be clear, have  
7       any changes been made to the design of the Sig  
8       Sauer P320 in the last several years as a  
9       result of these reports of unintended  
10      discharges?

11      A.   We have not made any design changes that  
12      pertain to inadvertent displacement of the  
13      trigger in these cases, other than to continue  
14      trying to promote safe handling  
15      characteristics and proper firearm maintenance  
16      and -- and ownership, if you will.

17      Q.   Has Sig Sauer made a changes in the warnings  
18      it provides to consumers as a result of any of  
19      these unintended discharge reports that Sig  
20      Sauer has received over the last several  
21      years?

22      A.   I don't know the answer to that.

23      Q.   Has Sig Sauer made any design changes to the  
24      P320 since the voluntary upgrade program in  
25      general?

1     **A. I don't know -- I don't know the answer to**  
2     **that in any specific change that is**  
3     **substantive to the function of the product.**

4     Q. And so from August 17th until now all of the  
5     P320s from a functional perspective are the  
6     same, right?

7     **A. In the way they function, yes.**

8     Q. And in this instance, when we say the way they  
9     function, meaning the way the internal parts  
10    work together, right?

11    **A. Correct.**

12    Q. And whether the gun discharges or doesn't  
13    discharge, the factors that lead into that --  
14    those outcomes has been the same for every  
15    pistol manufacturer by Sig Sauer from  
16    September of 2017 to the present, correct?

17    **A. Could you repeat that question?**

18    Q. Sure. Trying not to get into quantum  
19    mechanics here.

20           **A pistol either fires or it doesn't fire,**  
21    **right? All the factors that lead to one**  
22    **outcome or the other have been exactly the**  
23    **same for every Sig Sauer P320 manufactured**  
24    **since August of 2017 to the present.**

25    **A. I think one exception to that is the magazine**



1 safety that has been incorporated into  
2 California compliant models --

3 Q. Anything else?

4 A. -- is a distinctive feature that is not the  
5 same as all of the prior.

6 The loaded chamber indicator would be a  
7 similar feedback to the operator of whether a  
8 round is in the chamber, and -- and to that  
9 point, a personal owner's decision to carry  
10 the firearm with a round in the chamber or not  
11 is another decision that each owner is going  
12 to make about how they personally carry the  
13 product and ultimately affects the likelihood  
14 of unintentional discharge, as well.

15 Q. And Sig Sauer knows that some consumers make  
16 that choice to carry a round in chamber,  
17 correct?

18 A. We do.

19 Q. In fact, Sig Sauer knows that's probably the  
20 more common usage case, correct?

21 A. I don't know those percentages. Personally  
22 when I carry, I don't have a round in the  
23 chamber.

24 Q. I don't either, but...

25 Sig Sauer also comes or has the option of

1 three different trigger shapes, right?

2 **A. There are different trigger shapes, yes.**

3 There is the general curved trigger. There is  
4 a flat trigger. There -- there have been  
5 several different trigger variants for  
6 different law enforcement agencies or  
7 divisions that they all function similarly.

8 Q. And the shape of the trigger does not  
9 materially impact how the fire control unit  
10 works, correct?

11 **A. The shape of the -- the trigger shoe or the**  
12 **area where the shooter's finger would depress**  
13 **the trigger does not affect how the firearm**  
14 **functions beyond that trigger pull. It's**  
15 **primarily a different feel on the pad of the**  
16 **shooter's finger.**

17 Q. We talked a little bit about the TOP  
18 standards.

19 Do you recall that?

20 **A. Yes.**

21 Q. Which are the military's various safety  
22 standards; is that right?

23 **A. Correct.**

24 Q. Does Sig Sauer consider the military an  
25 authoritative source for gun safety

1 information?

2 MR. JOYCE: Objection. Overbroad.

3 You can answer.

4 **A. I mean it's certainly one of the**  
5 **specifications that we have met when selling**  
6 **product to the military.**

7 BY MR. WERTS:

8 Q. Okay. And does Sig consider the military's  
9 description of safety systems to be accurate?

10 MR. JOYCE: Objection. Overbroad.

11 **A. That is too broad for me to answer.**

12 BY MR. WERTS:

13 Q. Why?

14 **A. We would have to review what all of those**  
15 **statements are and then assess each**  
16 **individually.**

17 Q. And so you leave open the possibility that Sig  
18 Sauer may disagree with the army on firearm  
19 safety?

20 **A. Well, for example, the army required the**  
21 **manual safety on the M17 and M18, and we**  
22 **certainly recognize that not all users and/or**  
23 **consumers have that belief and not all of them**  
24 **want manual safety, as an example. So, no I**  
25 **don't think I would agree that those**

1       **descriptions of -- of army safety standards**  
2       **are universal.**

3       Q.   Okay.   So earlier I asked you the question of  
4       whether or not you would agree with me that  
5       manual safeties are critical in preventing  
6       unintended discharges.

7               Do you recall that?

8       **A.   I recall you asking me that question.**

9       Q.   Would you be surprised to learn that the army  
10       and its TOP's 03-2-504A, which is one of the  
11       standards we talked about earlier that you  
12       said all the P320s meet, that the -- in  
13       talking about safety selectors, that these  
14       devices are critical in preventing unintended  
15       firing of a weapon?

16       **A.   It may say that, but I believe when we talked**  
17       **about the P320 as it applied to those**  
18       **standards I said we met the testing that the**  
19       **government did against their requirements.**  
20       **That statement also doesn't have any testing**  
21       **associated with it.**

22       Q.   As you sit here, do you know one way or the  
23       other whether or not the military has  
24       undergone any testing to evaluate that  
25       statement?

1     **A. I do not know what the extent of government**  
2     **testing on that matter has been or what**  
3     **documentation they have behind those**  
4     **statements, but clearly it is supported by the**  
5     **fact that the inclusion of a manual safety on**  
6     **the M17 and M18 for MHS submissions was there.**

7     **Q. And we know from our prior discussion that Sig**  
8     **Sauer has not done any testing to determine**  
9     **whether or not a manual safety is critical to**  
10    **prevent unintended firing of a weapon. True?**

11    **A. A manual safety can certainly augment safe**  
12    **handling of a firearm, but manual safeties and**  
13    **other safety devices are -- are simply that,**  
14    **augmentation to safe handling practices.**

15    **Q. And what testing has Sig Sauer undertaken to**  
16    **evaluate and form a basis for that statement?**

17    **A. There has been all kinds of testing done by**  
18    **other -- other customers besides the army with**  
19    **P320s that don't have manual safeties.**

20    **Q. And that's testing by customers. I am asking**  
21    **about what testing Sig Sauer did for itself.**

22    **A. We -- we have testified P320s without manual**  
23    **safeties. I couldn't even hazard a guess to**  
24    **how many different P320s, and to my knowledge**  
25    **we've never had an unintentional discharge on**

1 any model without a manual safety or with a  
2 manual safety.

3 Q. And that's testing being done inhouse by Sig  
4 Sauer's employees?

5 A. That's typically where the majority of our  
6 testing is done, but I -- yeah, that's the  
7 majority of our testing in terms of Sig Sauer  
8 testing. When we have the capability to  
9 perform it inhouse, we typically do.

10 Q. Is there any industry standard for trigger  
11 pull weight in a pistol?

12 A. I believe SAAMI references a minimum trigger  
13 pull weight of three pounds unless it's a  
14 competition, slash, target gun. I don't  
15 recall the exact verbiage.

16 Q. And when you say SAAMI references a  
17 three-pound trigger weight, it's not setting a  
18 standard for trigger weights. It's describing  
19 the distinction between a match trigger and a  
20 sporting trigger, correct?

21 A. My recollection of the verbiage is that it's a  
22 guideline that trigger pull weights not be  
23 below three pounds unless it's -- and this, I  
24 think, is an asterisk footnote type  
25 addition -- that unless it's a competition,

1        **slash, target intended product.**

2                    (Deposition Exhibit No. 20 was marked for  
3        identification.)

4        Q.    Handing you what has been marked as Deposition  
5        Exhibit 20.

6                    Do you recognize this document?

7        **A.    It's a U.S. patent.**

8        Q.    And specifically it's a patent for a firearm  
9        manual safety.

10                   Do you see that?

11        **A.    I see that it's pertaining to a firearm manual**  
12        **safety, including a lever with a detent**  
13        **spring.**

14        Q.    And this is the safety that's on the P320,  
15        right?

16        **A.    No.**

17        Q.    It is not?

18        **A.    The P320 does not employ a detent spring like**  
19        **this at all. This is a different mechanism**  
20        **that's similar to what is on a P226 SAO or a**  
21        **P229 SAO.**

22        Q.    All right. We can set that aside. I have no  
23        more questions for you on that document.

24                   MR. WERTS: All right. Let's take a very  
25        short break and may be close to wrapping up.

1 MR. JOYCE: Okay. Thanks.

2 THE VIDEOGRAPHER: Off the record at  
3 4:14.

4 (Brief recess taken.)

5 THE VIDEOGRAPHER: We're back on the  
6 record at 4:26. Media No. 7. Please proceed.

7 MR. WERTS: One second. Let me pull up  
8 the...

9 BY MR. WERTS:

10 Q. All right. There was a parts list that was  
11 produced to us with the CAD drawings that I  
12 put on here as a part number -- let me try to  
13 scroll in on this so you can actually see it.

14 All right. Do you see where it's  
15 highlighted part 1302031?

16 **A. I do see that.**

17 Q. It says Disco Trigger Bar Gen2.

18 Do you see that?

19 **A. I do see that.**

20 Q. What is a disco trigger bar?

21 **A. The disco is short for disconnecter. This was**  
22 **part of the voluntary upgrade changes. Even**  
23 **pre-upgrade through, the trigger pull after**  
24 **the sear released the striker, the trigger bar**  
25 **would disconnect from the sear allowing the**



1       sear to rotate back up to catch the striker as  
2       the slide comes forward for the next shot.

3               This disconnecter that is being  
4       referenced is a slide-actuated disconnecter,  
5       meaning that when the slide moved rearward it  
6       disconnects the trigger bar from the sear.  
7       Prior to this part on the voluntary upgrade,  
8       the trigger bar followed a cam path which  
9       defined when the trigger bar would disconnect  
10      from the sear, and it was independent of slide  
11      function.

12   Q.   And so in this instance, Gen2 just means  
13       post-upgrade. Is that fair?

14   A.   I am not sure what Gen2 means in this  
15       description.

16   Q.   Are you -- does Sig Sauer use the terminology  
17       Gen1, Gen2 for -- for parts commonly or is  
18       this an unusual thing?

19   A.   I would -- I would say that it's been done  
20       before, but I don't know that I would say it's  
21       common.

22                               (Pause)

23               MR. WERTS: Sorry. It takes just a  
24       moment to process with each search.

25                               (Pause)

1 Q. I'll just ask this more generally,.

2 Are you familiar with the terms music  
3 wire and rocket wire?

4 A. I am.

5 Q. What are the -- what's the difference?

6 A. They are both wire braze TM A228. The  
7 difference between a music wire and rocket  
8 wire is the tensile strength rating of the  
9 material.

10 Rocket wire is also sometimes known as  
11 missile wire, and it's, to my knowledge,  
12 produced by two manufacturers of the wire  
13 material in the United States. And so one  
14 manufacturer, I believe, refers to it as  
15 rocket wire, the other missile wire, but the  
16 ultimate tensile strength of the material is  
17 higher than the minimum tensile strength for  
18 standard music wire.

19 So that the -- the advantage of that  
20 higher minimum tensile strength is that a  
21 spring under a certain loading would be less  
22 highly stressed when compared to a percentage  
23 of minimum tensile strength.

24 Q. So does that mean the spring -- the spring  
25 is -- has more spring to it or less or --

1     **A. It doesn't have anything to do with more**  
2     **spring or less spring in terms of spring**  
3     **force. It in very general sense means that**  
4     **when loaded a spring is less likely to lose**  
5     **its force characteristics over time.**

6     Q. Got it. All right. The next page I want to  
7     look at is page 11 of this, this PDF. It's  
8     got highlighted -- there's a certain part  
9     number that says no finish, light oil per Sig  
10    Sauer specification D000163.

11             Do you see that?

12    **A. I do see that.**

13    Q. And we've got a number of specifications.  
14    This one, however, is during production.

15             Do you happen to know what specification  
16    D000163 is?

17    **A. It specifies the light oil for a**  
18    **corrosion-resistant protective coating. The**  
19    **tabulations that we are looking at, it's the**  
20    **1300737-00 tabulation. That's a part we might**  
21    **buy unfinished from the vendor that molds it**  
22    **and then use a second supplier to do the final**  
23    **finish processing and basically make one of**  
24    **the other tabulations from it.**

25    Q. So I've pulled up on our screen a drawing for

1 a striker spring.

2 Do you see that?

3 **A. I do see it.**

4 Q. Has the P320 used the same striker spring  
5 since the voluntary upgrade program?

6 **A. I'm not aware of a change to the striker  
7 spring since the voluntary upgrade program.**

8 Q. And then I just want to use this as an  
9 example.

10 You recognize this as a CAD drawing for  
11 some of the engineering specifications for a  
12 part, right?

13 **A. Yes.**

14 Q. So as we're looking at this, in the upper  
15 right-hand corner it says revision history.

16 Do you see that?

17 **A. I do.**

18 Q. Kind of reading across the headings, what does  
19 this tell us? It starts with Rev and then  
20 there's a number under that?

21 **A. So the revision level is -- of this particular  
22 drawing is 00, which indicates the first  
23 production release of this drawing. The  
24 description supports that by saying initial  
25 release.**

1           The date of December 21st of '17  
2           indicates when this drawing was revised, not  
3           necessarily when the revision was processed  
4           through our appeal op system.

5           The ECO refers to engineering change  
6           order.

7           RC03472 is the engineering change order  
8           number. The prefix RC indicates that it's a  
9           revision change, meaning that the drawing  
10          changed in a way that -- the subsequent  
11          drawing revision for this drawing, for  
12          example, would be 01 and that would be another  
13          revision change.

14          A non-revision change order would not  
15          impact the drawing. It might be something  
16          such as changing the part life status from an  
17          earlier preliminary or prototype state to --  
18          or tool state to active, but it wouldn't  
19          affect the technical specifications of a part.

20          And, lastly, the drawn by would be the  
21          person that did the drafting work for this  
22          revision.

23       Q. And you recognize the initials M-A-T?

24       A. I do.

25       Q. Those are you?

1     **A. They are mine.**

2     Q. Okay. So these engineering change orders,  
3         I've never seen one those.

4         What do those look like?

5     **A. The format of engineering change orders has**  
6         **changed through the years. Today it's done**  
7         **within the Agile PLM system, so it's basically**  
8         **a table of part numbers being effective --**  
9         **being affected.**

10         It should describe some detail of what is  
11         being changed. It would include dispositions  
12         from what to do with the existing inventory or  
13         work in progress. It contains things like  
14         effectivity dates for when changes should be  
15         made. That sort of information.

16     Q. Okay. And prior to it being put in the Agile  
17         system, how were they done?

18     **A. There was a form that was sometimes -- it was**  
19         **out of the PLM system. In early days, it**  
20         **included handwritten information of the same**  
21         **nature, and then evolved to a digital format**  
22         **that was just not embedded in the PLM system.**

23     Q. And do you still have all those in the  
24         engineering department?

25     **A. There are at least digital copies of those**

1 change orders prior to Agile, and the change  
2 orders that were done in Agile are still  
3 available in Agile.

4 Q. And would you be able to pull all the  
5 engineering change orders related to the P320  
6 if you were asked to do so?

7 A. That could be done. That would be a very  
8 large task, only because prior to Agile it  
9 would be more difficult to sort through which  
10 ones pertained to P320s versus other products.

11 Q. Because it would be a paper review? Or I  
12 guess a -- it's an electronic paper review?

13 A. That's a good way to describe it.

14 Q. Okay.

15 A. And they're compiled by ranges of engineering  
16 change order numbers, not by product or part  
17 number.

18 Q. But those could be loaded and searched somehow  
19 if they needed to be, right?

20 A. At a minimum they could be manually searched.  
21 If -- if information relative to a specific  
22 part was of desire, that would be easier to  
23 find.

24 Q. Okay. So we are looking at the lower  
25 right-hand corner, and I've zoomed in on the

1 drawing, which is a SIG drawing 247.

2 Do you see that?

3 **A. Yes. That's the label of this exhibit, yes.**

4 Q. And so it has -- one of the things it says,  
5 used on. I've kind of got my hand cursor  
6 circling around it.

7 Do you see that?

8 **A. I do.**

9 Q. And this says it's used on P365. Is that  
10 right?

11 **A. That what it says here, yes.**

12 Q. Are there certain parts that are  
13 interchangeable between the P365 and the 320?

14 **A. Yes. The only part that I recall being**  
15 **identical between the two products is the**  
16 **striker spring cup, which used to be two**  
17 **pieces -- two -- a quantity two of the same**  
18 **piece, and then was subsequently changed to be**  
19 **one piece that functioned as the other two**  
20 **pieces used to.**

21 The title block information for used by  
22 does not necessarily represent all usage cases  
23 of where a part might be --

24 Q. Okay.

25 **A. -- incorporated.**



1 Q. And then date change and drawn by and  
2 engineer, those are all self-explanatory, the  
3 date that it was drawn and who did it?

4 A. Correct. The date drawn would be a date  
5 entered representative of the timeframe when  
6 at least a version of the drawing was -- was  
7 created.

8 Drawn by an engineer are often not the  
9 same people. In this case, they were both me.

10 Q. And to the right it's got a title, which is  
11 self-explanatory.

12 It says size B. What does that tell us?

13 A. That refers to the physical size of the  
14 drawing should you print it. It goes back to  
15 back when we had paper or mylar drawings of  
16 different-sized sheets of paper.

17 Q. And then there's an alphanumeric cage code.

18 What is that now?

19 A. That's a number used for government holdings,  
20 referring to -- I can't answer the specific  
21 meaning because I don't know it, but refers to  
22 the buildings in which we produce and store  
23 products particularly for the government.

24 We did not put cage code drawings -- I am  
25 sorry -- cage code identifiers on our drawings

1 prior to MHS.

2 Q. The drawing number, that is just a unique  
3 number for this part, right?

4 A. That's correct. Although we looked at an  
5 example earlier that was tabulated with the  
6 base number dash 00 dash 01. In those cases,  
7 those are the part numbers and the base number  
8 would be the drawing number.

9 Q. Okay.

10 A. In this case they're the same.

11 Q. Okay.

12 MR. WERTS: Well, thank you very much for  
13 your time and patience today. Those are the  
14 questions I have for you.

15 MR. JOYCE: I have no questions.

16 THE VIDEOGRAPHER: All right. This  
17 concludes the deposition of Matthew Taylor.  
18 Off the record at 4:43.

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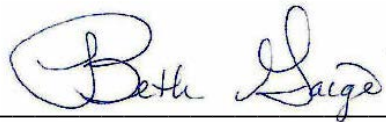
## STATE OF NEW HAMPSHIRE

I, Beth Gaige, RPR, and licensed court reporter in the State of New Hampshire, do hereby certify that the within-named deponent was sworn to testify the truth, the whole truth, and nothing but the truth in the aforementioned cause of action.

I further certify that this deposition was stenographically reported by me and later reduced to print through computer-aided transcription, and the foregoing is a full and true record of the testimony given by the deponent.

I further certify that I am a disinterested person in the event or outcome of the above-named cause of action.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of September, 2024.



Beth Gaige, LCR/RPR  
New Hampshire Lic. No: 00153